

AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/ COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY

COUNCIL CHAMBERS
CIVIC CENTER
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CALIFORNIA
TUESDAY, JANUARY 17, 2017 – 6:00 PM

Mayor

ALBERT MENDIVIL

RON MORRISON

Vice Mayor

JERRY CANO Councilmember

MONA RIOS Councilmember

ALEJANDRA SOTELO-SOLIS Councilmember

1243 National City Blvd. National City 619-336-4240

Meeting agendas and minutes available on web

WWW.NATIONALCITYCA.GOV

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

REPORTS: All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website **www.nationalcityca.gov**.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

WRITTEN AGENDA: With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

CONSENT CALENDAR: Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of

the agenda and separately considered, upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audiófonos están disponibles en el pasillo al principio de la junta.

COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.

OPEN TO THE PUBLIC

A. CITY COUNCIL

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

PROCLAMATIONS

AWARDS AND RECOGNITIONS

PRESENTATIONS

INTERVIEWS / APPOINTMENTS

1. <u>Interviews and Appointments: Community and Police Relations</u>
Commission. (City Clerk)

CONSENT CALENDAR

- 2. Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. (City Clerk)
- Resolution of the City Council of the City of National City, 1) awarding a contract to A Good Sign and Graphics Co. in the not-to-exceed amount of \$270,359.00 for the Wayfinding Signage Project, CIP No. 16-13; 2) authorizing a 15% contingency in the amount of \$40,553.85 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract. (Engineering/Public Works)
- 4. Resolution of the City Council of the City of National City, 1) awarding a contract to Pavement Coatings Co. in the not-to-exceed amount of \$228,391.40 for the 18th Street Bicycle Enhancements Project, CIP No. 16-04; 2) authorizing a 15% contingency in the amount of \$34,258.71 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract. (Engineering/Public Works)
- 5. Resolution of the City Council of the City of National City authorizing installation of approximately 30 feet of red curb "No Parking" on the west

- side of "L" Avenue, north of the "Plaza Village" parking garage exit, to enhance visibility and access onto "L" Avenue (TSC No. 2016-22). (Engineering/Public Works)
- 6. Resolution of the City Council of the City of National City authorizing installation of 20 feet of red curb No Parking on the north side of E. 26th Street, east of M Avenue, and 10 feet of red curb No Parking west of M Avenue, to enhance visibility and access from M Avenue onto E. 26th Street (TSC No. 2016-23).(Engineering/Public Works)
- 7. Resolution of the City Council of National City ratifying the acceptance of a \$26,362 augmentation to the California Library Literacy Services (CLLS) Grant, fiscal year 2016-17, for the National City Library's Literacy Program, increasing the total grant amount from \$18,000 to \$44,362; and authorizing the establishment of fund appropriations and a corresponding revenue budget.(Library)
- 8. Resolution of the City Council of the City of National City authorizing the acceptance of the lowest, responsive, responsible bid, for the purchase of (1) 2017 Chevrolet Suburban, for the Fire Department from Ron Baker Chevrolet of National City, in the amount of \$54,229.99. (Finance)
- 9. Resolution of the City Council of the City of National City authorizing the Mayor to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options. (Finance)
- 10. Resolution of the City Council of the City of National City adopting the amended Policy 802 of the City Council Policy Manual Chapter 800. (Neighborhood Services)
- 11. Warrant Register #19 for the period of 11/02/16 through 11/08/16 in the amount of \$2,090,394.47. (Finance)
- 12. Warrant Register #20 for the period of 11/09/16 through 11/15/16 in the amount of \$394,824.28. (Finance)
- 13. Warrant Register #21 for the period of 11/16/16 through 11/22/16 in the amount of \$1,833,346.26. (Finance)

PUBLIC HEARINGS

14. Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Fire Code & the National Fire Protection Association Standards. In addition to all Appendices related to these codes. (Fire/Building)

- Public Hearing An Ordinance of the City Council of the City of National City adopting the 2016 California Building Code, in addition to all Appendices related to these codes. In addition, amending Chapter 15.08.075 of the National City Municipal Code pertaining to the City Council's Authority under Title 15. (Fire/Building)
- 16. Public Hearing An Ordinance of the City Council of the City of National City adopting the 2016 California Electrical Code & the 2014 National Electrical Code. In addition to all Appendices related to these codes. (Fire/Building)
- 17. Public Hearing An Ordinance of the City Council of the City of National City adopting the 2016 California Energy Code. In addition to all Appendices related to these codes. (Fire/Building)
- 18. Public Hearing Adopting Appendix J of the 2016 California Building Code, and amending Chapter 15.70 (Grading) of the National City Municipal Code. (Engineering/Public Works)
- 19. Public Hearing An Ordinance of the City Council of the City of National City adopting the 2016 California Green Code. In addition to all Appendices related to these codes. (Fire/Building)
- 20. Public Hearing An Ordinance of the City Council of the City of National City adopting the 2016 California Mechanical Code. In addition to all Appendices related to these codes. (Fire/Building)
- 21. Public Hearing An Ordinance of the City Council of the City of National City adopting the 2016 California Plumbing Code. In addition to all Appendices related to these codes. (Fire/Building)
- 22. Public Hearing An Ordinance of the City Council of the City of National City adopting the 2016 California Residential Code. In addition to all Appendices related to these codes. (Fire/Building)
- 23. Public Hearing Conditional Use Permit the expansion of a gas station convenience store located at 1803 Highland Avenue. (Applicant: Michael Rafo) (Case File 2016-17 CUP) (Planning)

ORDINANCES FOR INTRODUCTION

- 24. An Ordinance amending Title 15 of the National City Municipal Code to add Chapter 15.82 Expedited Permit Processing for Electric Vehicle Charging Stations. (Planning)
- 25. An Ordinance of the City Council of the City of National City amending Title 16 of the National City Municipal Code by renumbering Chapter

- 16.09 to Chapter 16.10 and adding a new chapter 16.09 establishing a Veterans and Military Families Advisory Committee. (City Manager)
- 26. An Ordinance of the City Council of the City of National City adding Chapter 2.74 to the National City Municipal Code pertaining to Ethics Training. (City Attorney)

ORDINANCES FOR ADOPTION

- 27. An Ordinance of the City Council of the City of National City adopting the 2016 California Fire Code & the National Fire Protection Association Standards. In addition to all Appendices related to these codes. (Fire/Building)
- 28. An Ordinance of the City Council of the City of National City adopting the 2016 California Building Code, in addition to all Appendices related to these codes. In addition, amending Chapter 15.08.075 of the National City Municipal Code pertaining to the City Councils Authority under Title 15. (Fire/Building)
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- 31. An Ordinance of the City Council of the City of National City adopting Appendix J of the 2016 California Building Code, and amending Chapter 15.70 (Grading) of the National City Municipal Code. (Engineering/Public Works)
- 32. An Ordinance of the City Council of the City of National City adopting the 2016 California Green Code. In addition to all Appendices related to these codes. (Fire/Building)
- 33. An Ordinance of the City Council of the City of National City adopting the 2016 California Mechanical Code. In addition to all Appendices related to these codes. (Fire/Building)
- 34. An Ordinance of the City Council of the City of National City adopting the 2016 California Plumbing Code. In addition to all Appendices related to these codes. (Fire/Building)
- 35. An Ordinance of the City Council of the City of National City adopting the 2016 California Residential Code. In addition to all Appendices related to these codes. (Fire/Building)

36. (A) An Ordinance of the City Council of the City of National City establishing the Compensation of the Mayor and the City Council. (B) An Ordinance of the City Council of the City of National City establishing Retiree Health Care Benefits for the Mayor and City Council. (City Attorney)

NON CONSENT RESOLUTIONS

- 37. Resolution of the City Council of the City of National City approving a Conditional Use Permit for a craft beer tasting room (Embarcadero Brewing) to be located at 340 West 26th Street, Suite "D". (Applicant: Jorge Molina) (Case File 2016-21 CUP) (Planning)
- 38. Resolution of the City Council of the City of National City approving the vacation of 250 feet of "A" Avenue located south of East 28th Street and north of East 29th Street. (Applicant: Frank Motors) (Case File No. 2013-23 SC) (Planning)

NEW BUSINESS

- 39. Presentation of draft ranking of nonconforming uses in the Westside Specific Plan area and commencement of 60-day public review period for purposes of the affirmative termination by amortization of nonconforming uses. (Planning)
- 40. Request by Alliance San Diego for the City Council to pass a Resolution in Support of Creating a Welcoming Community for All Residents. (City Manager)
- 41. Notice of Decision Planning Commission approval of a Conditional Use Permit for beer and wine sales at Sushi Loco Restaurant to be located at 2220 East Plaza Blvd., Suite C & D. (Applicant: Jason Kim) (Case File 2016-26 CUP) (Planning)

B. COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY

PUBLIC HEARINGS-HOUSING AUTHORITY

CONSENT RESOLUTIONS- HOUSING AUTHORITY

42. Resolution of the Community Development Commission-Housing Authority of the City of National City authorizing the Chairman to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options. (Finance)

NON CONSENT RESOLUTIONS- HOUSING AUTHORITY

NEW BUSINESS- HOUSING AUTHORITY

C. REPORTS

STAFF REPORTS

43. Home Fire Prevention Campaign. (Fire)

MAYOR AND CITY COUNCIL

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting of the City Council/Community Development - Housing Authority of the City of National City - Tuesday - February 7, 2017 - 6:00 p.m. - Council Chambers - National City, California

The following page(s) contain the backup material for Agenda Item: Interviews and Appointments: Community and Police Relations Commission. (City Clerk)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017	AGENDA ITEM NO
ITEM TITLE:	
Interviews and Appointments: Commun	nity and Police Relations Commission. (City Clerk)
PREPARED BY: Michael R. Dalla	DEPARTMENT: City Clerk
PHONE: 619-336-4226	APPROVED BY:
EXPLANATION:	
to confirmation by City Council)	COMMISSION CPRC (Appointing Authority: Mayor subject There are three new applications (Lance Mirkin, Coyote
Name	Interviewed
Lance Mirkin	Yes
Coyote Moon	Yes
Gilbert Garcia	No
FINANCIAL STATEMENT: ACCOUNT NO.	APPROVED: Finance
ENVIRONMENTAL REVIEW:	
ORDINANCE: INTRODUCTION: FIN	NAL ADOPTION:
STAFF RECOMMENDATION:	
Take further action as desired to fill the vacano	cy.
BOARD / COMMISSION RECOMMENDATIO	<u>N:</u>
ATTACHMENTS:	
1. Applications	

CITY OF NATIONAL CITY APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

* * *	Community & Police Relations Commission* (CPRC) Library Board of Trustees Parks, Recreation & Senior Citizens Advisory Board Public Art Committee* Traffic Safety Committee Port Commission
*	Parks, Recreation & Senior Citizens Advisory Board Port Commission
*	
	Aller And Harris and Control of the
	Note: Applicants must be residents of the City of National City except for those marked by an *
	Applicants for the Community and Police Relations Commission must pass a criminal background check prior to appointment.
Nar	me: Gilberto Angel GARCIA
Hor	me Address: 1440 Shery / IANE Tel. No.: 619-962-8750 (
Bus	siness Affiliation: None Title: Retred
Bus	siness Address: Tel. No.:
	igth of Residence in National City: 69 405 San Diego County: 69 450 California: 69 405
Edu	icational Background: CTRAD SUHT- 65, Southwestern College 68
itAR	ncational Background: CTRAD SUHT- 65, Southwestern College 68, 7 (Anmy) 68-70, SDSU, 70-72- Criminal Justice, Post
Occ	cupational Experience:
111	rilitAry, SDSO, 71-77, GROYHOUND BUSTINES-77-87- USPS-87.
Pro	fessional or Technical Organization Memberships:
	night of Columbus
	ic or Community Experience, Membership, or Previous Public Service Appointments:
	perience or Special Knowledge Pertaining to Area of Interest:
1	Lite Experionices
If and disc	ve you ever been convicted of a felony crime? No: Yes: misdemeanor crime? No: Yes: ny convictions were expunged disclosure is not required. Convictions are not necessarily qualifying. ase feel free to provide an explanation or information regarding yes answers to the above two estions.
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Please return completed form to:
Office of the City Clerk

1243 National City Blvd, National City, CA 91950

Thank you for your interest in serving the City of National City.

* Residency requirements may not apply
This documents is filed as a public document

RECEIVED

NOV 1 7 2016

Office of the City Clerk City of National City Revised: March 2012

Supplemental Application: National City Community and Police Relations Commission

The National City Community and Police Relations Commission serves as an independent, unbiased and impartial office that is readily available to the public. It is an organization for the improvement of police and community relations and the facilitation of disputes whenever possible. It provides a forum for citizens to voice their concerns, comment about police conduct, practices and policies and improves communication between citizens and the National City Police Department

The National City Community and Police Relations Commission is empowered to receive and review complaints regarding National City Police Department Personnel for alleged misconduct, and to recommend appropriate changes of Police Department policies and procedures toward the goals of safeguarding the rights of persons and promoting higher standards of competency, efficiency and justice in the provision of community policing services.

Applicants must be completely forthright and truthful during the application process. Applicants may be disqualified in the background process as a result of dishonesty and/or purposely omitting information regarding one's criminal history. Given the complexity of this Commission and its duties, it is necessary to pass a criminal background check prior to appointment by City Council and/or swearing in as Commissioner. Upon conditional appointment the Human Resources department will contact you to schedule the criminal background process when, and if appropriate. It is important to note that you fill out this application completely and honestly to the best of your abilities. Failure to disclose your criminal history may result in disqualification. If a conviction has been expunged disclosure is not required.

Have you ever been convicted of a felony crime: No: Have you been convicted of a misdemeanor: No: Have you been convicted of a felony crime: No: Have you been convicted of a felony crime: No: Have you been convicted of a felony crime: No: Have you been convicted of a felony crime: No: Have you been convicted of a felony crime: No: Have you been convicted of a felony crime: No: Have you been convicted of a misdemeanor: No: Have you b	d.

There may be circumstances that could disqualify an applicant from the background process beyond the listed crimes below. Each incident is evaluated in terms of the circumstances and facts surrounding its occurrence and its degree of relevance to the position.

Disqualifying criteria for Community and Police Relations Commissioner:

** See attached table

CITY OF NATIONAL CITY APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND PORT

Civil Service Commission	X Planning Commission
Community & Police Relations Community Library Board of Trustose Parks, Recreation & Senior Citizens Advis	Public Art Committee
	City of National City suspect for those marked by an
Applicants for the Community and D	only of manorial City succept for those marked by an
	olics Relations Commission must pass a criminal
Name Labra Alan Mirk	in.
Home Address: 127 Highland	Avenue Tel. No.: 649-867-4413
HI 10) POSE ATHRIANAL	Title:
	Tel. No.:
Length of Residence in National City	A
Educational Background: BA SDSU	1 2 yrs Law School Western Style
Occupational Experience: 37 Ven	the Francisco
Lending Industry	Services and
Professional or Technical Organization Membe	rahips:
Civic or Community Experience, Membership,	De Dendam D. Life and
Board Mamker PATAC El	der Fint Christian Church Chule Visk
Experience or Special Knowledge Pertaining to	Area of Interest:
Married	
Clark to the land	o? No XYes: misdemeanor crime? No: XYes: X not required. Convictions are not necessarily
questions.	formation regarding yes answerence the above two
Dot 1986 Wat Re Klein	
Date: 69/01/16 Signature	Felle 3 15
Please feel free to provide addition	mai information or letters of endorsement.
Please return	n completed form to:
Office of	of the City Clark
1243 National City B	Wd. National City. CA 91850

Thank you for your interest in serving the City of National City.

Revised: December 2016

^{*} Residency requirements may not apply
This documents is filed as a public document

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If any convictions were expunged disclosure is not require Please feel free to provide an explanation or information re	Yes:
questions.	

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Disqualifying criteria for Community and Police Relations Commissioner.

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CITY OF NATIONAL CITY APPLICATION FOR APPOINTMENT TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

Civil Service Commission	Planning Commission
Community & Police Relations Commission* (C	CPRC) Public Art Committee*
Library Board of Trustees	Traffic Safety Committee
Parks, Recreation & Senior Citizens Advisory E	Board
Note: Applicants must be residents of the City of	of National City except for those marked by an *
Applicants for the Community and Police background check prior to appointment.	Relations Commission must pass a criminal
Name: Lo Yote Moon	
Home Address: 2219 E 11th	St Tel. No.: 6/9-540-547.
Business Affiliation:	Title:
Business Address:	Tel. No.:
Length of Residence in National City: 18 VIS s	an Diego County: 62 / California: 62 /
Educational Background: D.A. Informa	ation Systems!
Occupational Experience: Sempra Energ	gy portfolio manager
Professional or Technical Organization Membership	ps: <u>n/q</u>
Civic or Community Experience, Membership, or Pr	revious Public Service Appointments:
Experience or Special Knowledge Pertaining to Are	ea of Interest:
Have you ever been convicted of a felony crime? N If any convictions were expunged disclosure is not disqualifying. Please feel free to provide an explanation or inform questions.	required. Convictions are not necessarily
Date: 10/04/20/6 Signature:	an-
- / '/	information or letters of endorsement.

Please return completed form to:
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1243 National City Blvd, National City, CA 91950

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Have you ever been convicted of a felony crime: No: Have you been convicted of a misdemeanor: No: If any convictions were expunged disclosure is not requirely Please feel free to provide an explanation or information questions.	Yes: Yes: ed. regarding yes answers to the above two

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Disqualifying criteria for Community and Police Relations Commissioner:

^{**} See attached table

The following page(s) contain the backup material for Agenda Item: Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. (City Clerk)

Item # ____

MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY.

(City Clerk)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract to A Good Sign and Graphics Co. in the not-to-exceed amount of \$270,359.00 for the Wayfinding Signage Project, CIP No. 16-13; 2) authorizing a 15% contingency in the amoun

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: AGENDA ITEM NO. January 17, 2017 **ITEM TITLE:** Resolution of the City Council of the City of National City, 1) awarding a contract to A Good Sign and Graphics Co. in the not-to-exceed amount of \$270,359.00 for the Wayfinding Signage Project, CIP No. 16-13; 2) authorizing a 15% contingency in the amount of \$40,553.85 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract. PREPARED BY: Jose Lopez, Junior Engineer - Civil **DEPARTMENT:** Engineering/Public Works PHONE: 619-336-4312 **APPROVED BY:** Sty 17. Menzimelle **EXPLANATION:** See attached. FINANCIAL STATEMENT: APPROVED: **Finance** ACCOUNT NO. **APPROVED:** MIS Contract Award (funds available through prior City Council appropriations) \$270,359.00 from account #296-409-500-598-6189 (Wayfinding Signage CIP) 15% Contingency (funds available through prior City Council appropriations) \$40,553.85 from account #296-409-500-598-6189 (Wayfinding Signage CIP) **ENVIRONMENTAL REVIEW:** ORDINANCE: INTRODUCTION: **FINAL ADOPTION: STAFF RECOMMENDATION:** Adopt Resolution awarding a contract to A Good Sign and Graphics Co. in the not-to-exceed amount of \$270,359.00 for the Wayfinding Signage Project, CIP No. 16-13. **BOARD / COMMISSION RECOMMENDATION:** N/A **ATTACHMENTS:** 1. Explanation 2. Bid Opening Summary

3. Three Lowest Bidders Summarv

4. Resolution

EXPLANATION

The project will design and implement a comprehensive wayfinding signage program for National City to inform residents and guests of key points of interest such as historic districts, civic centers, transit centers, public library, community parks and recreation facilities. The project will also install truck route signs along designated truck routes to reduce cut-through truck traffic in local neighborhoods. Phase I will focus on Downtown, Kimball Park, Westside (Old Town) and Marina District.

On November 22, 2016, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On November 28, 2016 and December 5, 2016, the bid solicitation was advertised in local newspapers.

On December 13, 2016, five (5) bids were received electronically on PlanetBids by the 1:00 p.m. deadline. Bid results were available immediately after the 1:00 p.m. deadline. A Good Sign and Graphics Co. was the apparent lowest bidder with a total bid amount of \$398,349.00 as the basis of award. Upon review of all documents submitted A Good Sign and Graphics Co.'s bid was deemed responsive, and they are the lowest responsible bidder qualified to perform the work as described in the project specifications.

Therefore staff recommends awarding a contract to A Good Sign and Graphics Co. in the not-to-exceed amount of \$270,359.00, which includes the following:

- Base Bid amount of \$228,615.00
 - Includes the arrival monument signs, neighborhood gateways, truck route signage, interpretive signage, and pole banners.
- Additive Bid 1 and 2 Additional Banners in the amount of \$37,794.00
 - Includes additional pole mounted banners.
- Additive Alternate Bid 'A', 'B' and 'C' Directional Signage in the amount of \$66,940.00
 - Includes the directional signage mounted on existing traffic signal poles, existing light poles, and new poles in the City selected custom colors.

By awarding Additive Alternate Bid 'A', 'B', and 'C', Base Bid Line Item No. 7 – Directional Signage attached to existing traffic pole (standard) in the amount of \$45,090.00 will be eliminated, as well as Line Item No. 10 – Directional Signage attached to existing light pole (standard) in the amount of \$4,850.00, and Line Item No. 11 – Directional Signage attached to new pole (standard) in the amount of \$13,050.00. These adjustments are reflected in the recommended contract award amount of \$270.359.00.

Staff also recommends authorizing a 15% contingency in the amount of \$40,553.85 to address any unforeseen conditions that may arise.

The project is funded through a San Diego Association of Governments (SANDAG) Smart Growth Incentive Program (SGIP) Grant.

Attached are the bid opening summary sheet and a line item summary of the three lowest bidders for reference.

Construction is estimated to be completed by July 2017.



BID OPENING RESULTS

NAME:

WAYFINDING SIGNAGE PROJECT

CIP NO:

16-13

DATE:

Tuesday, December 13, 2016

TIME:

1:00 P.M.

ESTIMATE:

\$941,000

PROJECT ENGINEER: Kuna Muthusamy, P.E.

NO.	BIDDER'S NAME	Grand Total*	ADDENDA	BID SECURITY - BOND	
1.	A Good Sign and Graphics Co. 2110 South Susan Street Santa Ana, CA 92704	\$398,349.00	Yes	Bond	
2.	Sign Age Identity Systems, Inc 9962 Prospect Ave, Suite J Santee, CA 92071	\$464,820.58	Yes	Bond	
3.	Sign Industries, Inc. 2101 Carrillo Privado Ontario, CA 91761	\$479,345.35	Yes	Bond	
4.	S&B Engineering PO Box 1400 Lakeside, CA 92040	\$676,500.00	Yes	Bond	
5.	Frank & Son, Inc. 1720 W. Slauson Ave. Los Angeles, CA 90047	\$459,880.00**	Yes	Bond	

^{*} If an additive, alternate or additive/alternate bid items are called for in the Contract Documents, the sum of the base bid and all additive, alternate and additive/alternate bids, if any, shall be used to determine the lowest responsive bid.

^{**} Non-Responsive

		Bid Resu	Its for V	Vayfinding Sign	age Project (CIP N	lo. 16-13)			
				A GOOD SIGN AND GRAPHICS CO.		SIGN AGE IDENTITY SYSTEMS, INC.		SIGH-MIDLISTRIES, INC.	
ltem No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
	Base Bid								
1	Mobilization/Demobilization	LS	1	\$33,400.00	\$33,400 00	\$28,590.08	\$28,590.08	\$32,475.00	\$32,475.00
2	4" PCC	SF	200	\$8.00	\$1,600.00	\$12.15	\$2,430.00	\$32.00	56,400.00
3	Concrete Mowing Strip per SDRSD L-3	LF	90	\$44.00	\$3,960.00	\$33.75	\$3,037.50	\$80.00	\$7,200.00
4	8"-12" Mexican Sunburst Cobble	TON	10	\$800.00	\$8,000.00	\$650.70	\$6,507.00	\$1,537.00	\$15,370.00
5	Arrival Monument	EA	2	\$9,000.00	\$18,000.00	\$9,342.00	\$18,684.00	\$13,200.00	\$26,400.00
6	Neighborhood Gateway	EA	5	\$9,700.00	\$48,500.00	\$10,638.00	\$53,190.00	\$15,990.00	\$79,950.00
7	Directional attached to existing traffic pole (Standard)	EA	27	\$1,670.00	\$45,090.00	\$2,497.50	\$67,432.50	\$2,040.00	\$55,080.00
8	Two Banners attached to existing light pole with mounting brackets - 2 sided	EA	5	\$430.00	\$2,150.00	\$783.00	\$3,915.00	\$1,650.00	\$8,250.00
9	One Banner attached to existing light pole with mounting brackets - 2 sided	EA	56	\$327.50	\$18,340.00	\$783.00	\$43,848.00	\$1,220.00	\$68,320.00
10	Directional attached to existing light pole (Standard)	EA	5	\$970.00	\$4,850 00	\$2,497.50	\$12,487.50	\$2,040.00	\$10,200.00
11	Directional attached to new pole (Standard)	EA	3	\$4,350.00	\$13,050.00	\$2,416.50	\$7,249.50	\$5,500.00	\$16,500.00
12	Interpretive	EA	14	\$1,762.50	\$24,675.00	\$1,701.00	\$23,814.00	\$2,600.00	\$36,400.00
13	Truck Route Signage with supplemental directional arrow plaques	EA	20	\$100.00	\$2,000.00	\$168.75	\$3,375.00	\$360.00	\$7,266,00
14	Field Orders	Allowance	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
÷				Subtotal	\$228,615.00		\$279,560.08		\$374,745.00
	Additive Bid 1		,		,				
15	Additional Banners for Two per Pole Set (To be installed by others)	EA	15	\$302.00	\$4,530.00	\$783.00	\$11,745.00	\$250.00	\$3,750.00

		Bid Res	sults for V	Vayfinding Sign	age Project (CIP N	lo. 16-13)			
			A GOOD SIGN AND GRAPHICS CO.		SIGN AGE IDENTITY SYSTEMS, INC.		SIGN INDUSTRIES, INC.		
em No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
				Subtotal	\$4,530.00		\$11,745.00		\$3,750.00
	Additive Bid 2								
	Additional Banners for One per Pole Set (To					(2)(1)(2)	1000000000	4102.23	Annaha A
16	be installed by others)	EA	168	\$198.00	\$33,254.00	\$418.50	\$70,308.00	\$125.00	\$21,000.00
				Subtotal	\$33,254.00		\$70,308.00		\$21,000.00
	Additive Bid 3	T	· · · · · · · · · · · · · · · · · · ·	Á55 000 00	465 030 00	644 343 00	644 242 00	ć70 050 00 l	630 058 B
17	Pedestrian Bridge (Vinyl Decal)	LS	1	\$65,000.00 Subtotal	\$65,000.00	\$11,313.00	\$11,313.00 \$11,313.00	\$79,850.00	\$79,850.0
	a different allegate mid a			Subtotal	\$65,000.00		\$11,313.00		\$79,050.00
	Additive Alternate Bid A	T							
-	Directional attached to existing traffic (Custom)	EA	27	\$1,670.00	\$45,090.00	\$2,632.50	\$71,077.50	\$0.01	\$0.27
21	(Custom)	1-7.		Subtotal	\$45,090.00		\$71,077.50		\$0.2
	Additive Alternate Bid B								
	Directional attached to existing light pole (Custom)	EA	5	\$1,670.00	\$8,350.00	\$2,632.50	\$13,162.50	\$0.01	\$0.0
				Subtotal	\$8,350.00		\$13,162.50		\$0.0
	Additive Alternate Bid C								
20	Directional attached to new pole (Custom)	EA	3	\$4,500.00	\$13,500.00	\$2,551.50	\$7,654.50	\$0.01	\$0.0
				Subtotal	\$13,500.00		\$7,654.50		\$0.03
				Grand Total	\$398,349 00		\$464,820.58		\$479,345.35
				Summa	ry of Award		<u> </u>		
	Base Bid				\$228,615 00		\$279,560.08		\$374,345.0
- 4	Eliminate Line Item 7 - Directional attached to existing traffic pole (Standard)				(\$45,090 00)		(\$67,432.50)		(555,080,0

		Bid Res	sults for \	Wayfinding Sign	age Project (CIP N	lo. 16-13)			
				A GOOD SIGN AND GRAPHICS CO.		SIGN AGE IDENTITY SYSTEMS, INC.		SIGN INDUSTRIES, INC.	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
	Eliminate Line Item 10 - Directional attached to existing light pole (Standard)				(\$4,850.00)		(\$12,487.50)		(\$10,200 00)
	Eliminate Line Item 11 - Directional attached to new pole (Standard)				(\$13,050.00)		(\$7,249.50)		(\$16,500.00)
	Addtive Bid 1 - Additional Banners for Two	0			\$4,530.00		\$11,745.00		\$3,750.00
	Addtive Bid 2 - Additional Banners for On- per Pole Set	e			\$33,264.00		\$70,308.00		\$21,000:00
	Additive Alternate Bid A - Directional attached to existing traffic (Custom)	100		***	\$45,090 00		\$71,077.50		\$0.27
	Additive Alternate Bid B - Directional attached to existing light pole (Custom)				\$8,350.00		\$13,162.50		\$0.05
	Additive Alternate Bid C - Directional attached to new pole (Custom)				\$13,500.00		\$7,654.50		\$0.03
			Grand	Total Awarded	\$270,359.00		\$366,338.08		\$317,715.35

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract to Pavement Coatings Co. in the not-to-exceed amount of \$228,391.40 for the 18th Street Bicycle Enhancements Project, CIP No. 16-04; 2) authorizing a 15% contingency in th

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: AGENDA ITEM NO. January 17, 2017 **ITEM TITLE:** Resolution of the City Council of the City of National City, 1) awarding a contract to Pavement Coatings Co. in the not-to-exceed amount of \$228,391.40 for the 18th Street Bicycle Enhancements Project, CIP No. 16-04; 2) authorizing a 15% contingency in the amount of \$34,258.71 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract. PREPARED BY: Jose Lopez, Junior Engineer - Civil **DEPARTMENT:** Engineering/Public Works PHONE: 619-336-4312 APPROVED BY: Sty (). Mangamelle **EXPLANATION:** See attached. FINANCIAL STATEMENT: APPROVED: Finance ACCOUNT NO. **APPROVED:** MIS Contract Award (funds available through prior City Council appropriations) \$213,556.00 from account #296-409-500-598-6580 (HSIP Grant - 18th Street HSIP) \$14,835.40 from account #001-409-500-598-6035 (Street Resurfacing CIP) 15% Contingency (funds available through prior City Council appropriations) \$34,258.71 from account #001-409-500-598-6035 (Street Resurfacing CIP) **ENVIRONMENTAL REVIEW:** Caltrans Determination of Categorical Exclusion under 23 CFR 771.117(c): activity (c)(3), approved June 17, 2015. ORDINANCE: INTRODUCTION: **FINAL ADOPTION:** STAFF RECOMMENDATION: Adopt Resolution awarding a contract to Pavement Coatings Co. in the not-to-exceed amount of \$228,391.40 for the 18th Street Bicycle Enhancements Project, CIP No. 16-04. **BOARD / COMMISSION RECOMMENDATION:** N/A

ATTACHMENTS:

- 1. Explanation
- 2. Bid Opening Summary
- 3. Two Lowest Bidders Summary
- 4. Resolution

EXPLANATION

The general scope of work consists of striping and signing improvements along E. 18th Street between "D" Avenue and Palm Avenue to include Class II bicycle facilities such as striped bike lanes, bike signage, bicycle detector loops, and green bicycle boxes at signalized intersections. The project will also resurface this segment of E. 18th Street to provide a smooth roadway surface for bicyclists.

On November 17, 2016, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On November 18, 2016 and November 23, 2016, the bid solicitation was advertised in local newspapers.

On December 8, 2016, two (2) bids were received by the 11:00 a.m. deadline, opened and publicly disclosed. Pavement Coatings Co. was the apparent lowest bidder with a total bid amount of \$228,391.40. Upon review of all documents submitted, Pavement Coatings Co.'s bid was deemed responsive, and they are the lowest responsible bidder qualified to perform the work as described in the project specifications.

Therefore staff recommends awarding a contract to Pavement Coatings Co. in the not-to-exceed amount of \$228,391.40. Staff also recommends authorizing a 15% contingency in the amount of \$34,258.71 to address any unforeseen conditions that may arise.

The project is funded in large part through a Federal Highway Safety Improvement Program (HSIP) grant.

Attached are the bid opening summary sheet and a line item summary of the two lowest bidders for reference.

Construction is estimated to be completed by May 2017.



BID OPENING RESULTS

NAME:

18th STREET BICYCLE ENHANCEMENTS

CIP NO:

16-04

DATE:

Thursday, December 8, 2016

TIME:

11:00 A.M.

ESTIMATE:

\$237,000

PROJECT ENGINEER:

Kuna Muthusamy, P.E.

NO.	BIDDER'S NAME	BID AMOUNT	ADDENDA #1	BID SECURITY - BOND
1.	Pavement Coatings Co. 10240 San Sevaine Way Jurupa Valley, CA 91752	\$228,391.40	Yes	Bond
2.	Blue Pacific Engineering & Construction. 7330 Opportunity Rd #J San Diego, CA 92111	\$386,386.60	Yes	Bond

^{*} If an additive, alternate or additive/alternate bid items are called for in the Contract Documents, the sum of the base bid and all additive, alternate and additive/alternate bids, if any, shall be used to determine the lowest responsive bid.

Bid Results for 18th Street Bicycle Enhancements (CIP No. 16-04)							
				Pavement Coatings CO.		Blue Pacific Engineering & Construction	
Item No.	Description	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
	Base Bid						
1	Mobilization/Demobilization	LS	1	\$18,000.00	\$18,000.00	\$25,000.00	\$25,000.00
2	Water Pollution Control	EA	1	\$975.00	\$975.00	\$10,000.00	\$10,000.00
3	Traffic and Pedestrian Control	LS	1	\$11,500.00	\$11,500.00	\$60,000.00	\$60,000.00
4	Furnish and Install type D detection loop for new bicycle box	EA	6	\$1,456.00	\$8,736.00	\$1,625.00	\$9,750.00
5	Furnish and install Bike Box	EA	6	\$2,464.00	\$14,784.00	\$6,562.50	\$39,375.00
6	REAS Slurry, Type 2, plant mix	SY	20,340	\$6.46	\$131,396.40	\$7.24	\$147,261.60
7	Remove and install signing and striping	LS	1	\$38,000.00	\$38,000.00	\$90,000.00	\$90,000.00
8	Field Orders	Allowance	1	\$5,000.00	\$5,000,00	\$5,000.00	\$5,000.00
				Subtotal	\$228,391.40	- marke minerall	\$386,386.60

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing installation of approximately 30 feet of red curb "No Parking" on the west side of "L" Avenue, north of the "Plaza Village" parking garage exit, to enhance visibility and access onto

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO. ITEM TITLE: Resolution of the City Council of the City of National City authorizing installation of approximately 30 feet of red curb "No Parking" on the west side of "L" Avenue, north of the "Plaza Village" parking garage exit, to enhance visibility and access onto "L" Avenue (TSC No. 2016-22). PREPARED BY: Luca Zappiello, Civil Engineering Tech **DEPARTMENT:** Engineering/Public Works PHONE: 619-336-4360 APPROVED BY: **EXPLANATION:** My Maginilla See attached. FINANCIAL STATEMENT: APPROVED: **Finance** ACCOUNT NO. APPROVED: MIS N/A **ENVIRONMENTAL REVIEW:** N/A ORDINANCE: INTRODUCTION: FINAL ADOPTION: STAFF RECOMMENDATION: Adopt Resolution authorizing installation of approximately 30 feet of red curb "No Parking" on the west side of "L" Avenue, north of the "Plaza Village" parking garage exit, to enhance visibility and access onto "L" Avenue. **BOARD / COMMISSION RECOMMENDATION:** At their meeting on December 14, 2016, the Traffic Safety Committee unanimously approved the staff recommendation to install approximately 30 feet of red curb "No Parking" on the west side of "L" Avenue north of the "Plaza Village". ATTACHMENTS: 1. Explanation w/ Location Map 2. Staff Report to the Traffic Safety Committee on December 14, 2016 (TSC No. 2016-22)

3. Resolution

EXPLANATION

Mrs. Angel Westerman has requested the installation of red curb "No Parking" on "L" Avenue adjacent to the "Plaza Village" residence. Mrs. Westerman stated that residents have visibility issues when exiting the parking garage onto "L" Avenue when vehicles park too close to the parking garage exit. Mrs. Westerman also stated that there was an accident on August 5, 2016, at this location.

Staff performed a site evaluation. The posted speed limit along this segment of "L" Avenue is 30 mph. "L" Avenue between E. 8th Street and E. Plaza Boulevard has a slope of 5%. There is approximately 30 feet of unrestricted parallel parking for one (1) standard-sized vehicle on the north side of "L" Avenue between the exit from the parking garage of "Plaza Village" and the driveway of the house located at 920 "L" Avenue (see attached Location Map). Staff also reviewed the traffic collision history for the site, which determined that there were no "reported" traffic collisions within the past four years.

This item was presented to the Traffic Safety Committee on December 14, 2016. Mrs. Angel Westerman was in attendance and spoke in support of the red curb "No Parking". She confirmed the earlier statements.

Based on review of site conditions, staff recommends the install installation of approximately 30 feet of red curb "No Parking" on the west side of "L" Avenue, north of the "Plaza Village" parking garage exit, to enhance visibility and access onto "L" Avenue.

The Traffic Safety Committee unanimously approved the staff recommendation to install red curb "No Parking" on the west side of "L" Avenue, north of the "Plaza Village" parking garage exit.

If approved by City Council, all work will be performed by City Public Works.

Location Map with Recommended Enhancements (TSC Item: 2016-22)



NATIONAL CITY TRAFFIC SAFETY COMMITTEE AGENDA REPORT FOR DECEMBER 14, 2016

ITEM NO. 2016-22

ITEM TITLE: REQUEST TO INSTALL APPROXIMATELY 30 FEET OF RED

CURB "NO PARKING" ON THE WEST SIDE OF "L" AVENUE, NORTH OF THE "PLAZA VILLAGE" PARKING GARAGE EXIT, TO ENHANCE VISIBILITY AND ACCESS ONTO "L" AVENUE

PREPARED BY: Luca Zappiello, Civil Engineering Technician

DISCUSSION:

Mrs. Angel Westerman has requested the installation of red curb "No Parking" on "L" Avenue adjacent to the "Plaza Village" residence. Mrs. Westerman stated that residents have visibility issues when exiting the parking garage onto "L" Avenue when vehicles park too close to the parking garage exit. Mrs. Westerman also stated that there was an accident on August 5, 2016, at this location.

Staff performed a site evaluation. The posted speed limit along this segment of "L" Avenue is 30 mph. "L" Avenue between E. 8th Street and E. Plaza Boulevard has a slope of 5%. There is approximately 30 feet of unrestricted parallel parking for one (1) standard-sized vehicle on the north side of "L" Avenue between the exit from the parking garage of "Plaza Village" and the driveway of the house located at 920 "L" Avenue (see attached Location Map). Staff also reviewed the traffic collision history for the site, which confirmed that there were no "reported" traffic collisions within the past four years.

When vehicles exit the parking garage onto "L" Avenue, it is difficult for drivers to see oncoming southbound traffic when vehicles are parked too close to the driveway. Therefore, staff recommends the installation of approximately 30 feet of red curb "No Parking" to enhance visibility and access. This would result in the loss of one on-street, parallel parking space.

STAFF RECOMMENDATION:

Staff recommends the installation of approximately 30 feet of red curb "No Parking" on the west side of "L" Avenue, north of the "Plaza Village" parking garage exit, to enhance visibility and access onto "L" Avenue.

EXHIBITS:

- 1. Request
- 2. Location Map
- 3. Photos

2016-22

Plaze Village. - 7 950 L mee

recident or Friday

Acel Westerman

Plaze Con.

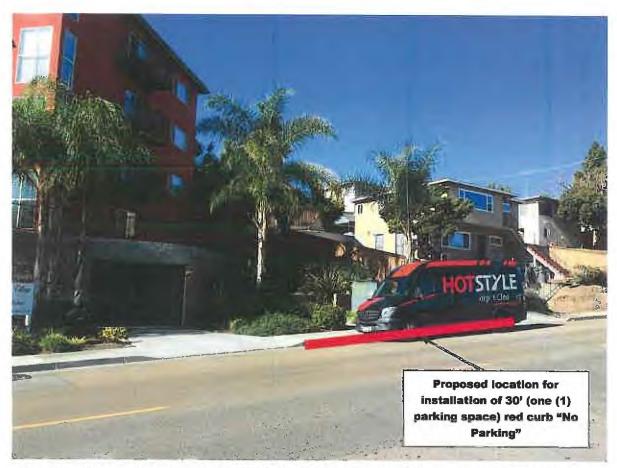
Plaze Village. - 7 950 L mee

Plaze Con.

Plaze

Location Map with Recommended Enhancements (TSC Item: 2016-22)





Location of request to install red curb "No Parking" located on "L" Avenue (looking southwest)



Location of request to install red curb "No Parking" located on "L" Avenue (looking north)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing installation of 20 feet of red curb No Parking on the north side of E. 26th Street, east of M Avenue, and 10 feet of red curb No Parking west of M Avenue, to enhance visibility and ac

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO. ITEM TITLE: Resolution of the City Council of the City of National City authorizing installation of 20 feet of red curb "No Parking" on the north side of E. 26th Street, east of "M" Avenue, and 10 feet of red curb "No Parking" west of "M" Avenue, to enhance visibility and access from "M" Avenue onto E. 26th Street (TSC No. 2016-23). PREPARED BY: Luca Zappiello, Civil Engineering Tech **DEPARTMENT:** Engineering/Public Works PHONE: 619-336-4360 APPROVED BY: **EXPLANATION:** the Maywell See attached. FINANCIAL STATEMENT: APPROVED: **Finance**

ACCOUNT NO.

APPROVED:

MIS

N/A

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt Resolution authorizing installation of red curb "No Parking" on E. 26th Street at the intersection with "M" Avenue to enhance visibility and access from "M" Avenue onto E. 26th Street.

BOARD / COMMISSION RECOMMENDATION:

At their meeting on December 14, 2016, the Traffic Safety Committee unanimously approved the staff recommendation to install red curb "No Parking" on E.26th Street at the intersection with "M" Avenue.

ATTACHMENTS:

- 1. Explanation w/ Location Map
- 2. Staff Report to the Traffic Safety Committee on December 14, 2016 (TSC No. 2016-23)
- 3. Resolution

EXPLANATION

Staff received a request from an area resident regarding installation of red curb "No Parking" on E. 26th Street at the intersection of "M" Avenue to enhance visibility and access from "M" Avenue onto E. 26th Street. The resident expressed concerns about visibility issues at the intersection when vehicles park too close to the corner.

Staff performed a site evaluation. The posted speed limit along this segment of E. 26th Street is 25 mph and E. 26th Street has a slope of approximately 4.2%. Staff also reviewed the traffic collision history for the site, which confirmed that there were no "reported" traffic collisions within the past four years.

This item was presented to the Traffic Safety Committee on December 14, 2016. Letters were sent to area residents inviting them to attend the meeting. There were no members of the community present to speak on the item.

Based on a review of site conditions, staff recommends the installation of 20 feet of red curb "No Parking" on the north side of E. 26th Street, east of "M" Avenue, and 10 feet of red curb "No Parking" west of "M" Avenue, to enhance visibility and access from "M" Avenue onto E. 26th Street.

The Traffic Safety Committee unanimously approved the staff recommendation to install red curb "No Parking" on E. 26th Street at the intersection of "M" Avenue.

If approved by City Council, all work will be performed by City Public Works.

Location Map with Recommended Enhancements (TSC Item: 2016-23)



NATIONAL CITY TRAFFIC SAFETY COMMITTEE AGENDA REPORT FOR DECEMBER 14, 2016

ITEM NO. 2016-23

ITEM TITLE: REQUEST TO INSTALL 20 FEET OF RED CURB "NO PARKING"

ON THE NORTH SIDE OF E. 26TH STREET, EAST OF "M" AVENUE, AND 10 FEET OF RED CURB "NO PARKING" WEST OF "M" AVENUE, TO ENHANCE VISIBILITY AND ACCESS FROM

"M" AVENUE ONTO E. 26TH STREET

PREPARED BY: Luca Zappiello, Civil Engineering Technician

DISCUSSION:

Area residents have requested the installation of red curb "No Parking" on E. 26th Street at the intersection with "M" Avenue to enhance visibility and access from "M" Avenue onto E. 26th Street. The residence expressed concerns about visibility issues at the intersection when vehicles park too close to the corner.

Staff performed a site evaluation. The posted speed limit along this segment of E. 26th Street is 25 mph and E. 26th Street has a slope of approximately 4.2%. Staff also reviewed the traffic collision history for the site, which confirmed that there were no "reported" traffic collisions within the past four years.

Staff evaluated line of site for vehicles attempting to exit "M" Avenue onto E. 26th Street and confirmed that it is difficult for drivers to see oncoming traffic when vehicles are parked to close to the intersection. Therefore, staff recommends the installation of 20 feet of red curb "No Parking" on the north side of E. 26th Street, east of "M" Avenue, and 10 feet of red curb "No Parking" west of "M" Avenue, to enhance visibility and access from "M" Avenue onto E. 26th Street.

Staff sent notices to area property owners, inviting them to attend the Traffic Safety Committee Meeting and/or contact staff with any questions.

STAFF RECOMMENDATION:

Staff recommends the installation of 20 feet of red curb "No Parking" on the north side of E. 26th Street, east of "M" Avenue, and 10 feet of red curb "No Parking" west of "M" Avenue, to enhance visibility and access from "M" Avenue onto E. 26th Street.

EXHIBITS:

- 1. Correspondence
- 2. Location Map
- 3. Photos

2016-23

SEECLICKFIX ID 2825597

PRIORITY Normal

REQUEST TYPE

ADDRESS

Traffic Related Issues or

2521 M Avenue National City, California

Complaints

ASSIGNEE

SLA EXPIRES

REPORTED

08/22/2016 - 09:05PM

Engineering / Public Works Admin. 1

SECONDARY QUESTIONS
Please provide location.
corner of 26th Street and M Avenue

Please provide a brief description of issues/complaint. not able to see around cars when turning onto 26th Street from M Avenue. LOCATION

National City
Park Apartments

E24th St

E25th St

E25th

SUMMARY & DESCRIPTION

Traffic Related issues or Complaints

Unable to see oncoming traffic when turning from M Avenue onto 26th street. Need curbs painted red and business trucks to park off street.

Reported by: An anonymous SeeClickFlx user

08/22/2016 - 09:05PM

MEDIA

No images available.

TIMESTAMP	INTERNAL	COMMENT	COMMENTER
08/23/2016 10:08AM	Yes	NEIGHBORHOOD SERVICES assigned this issue to Engineering / Public Works Admin. 1	NEIGHBORH OOD SERVICES
08/23/2016 10:37AM		Thanks for reporting through National City Connect.	Engineering / Public Works Admin. 1
08/23/2016 10:38AM		For this request, please visit our Engineering Department to fill out an official request for the Traffic Safety Committee. Please contact us directly for more information on this process 619-336-4380.	Engineering / Public Works Admin. 1
08/23/2016 10:38AM		Thanks for using National City Connect.	Engineering / Public Works Admin. 1

TIMESTAMP INTERNAL COMMENT

National City Connect.

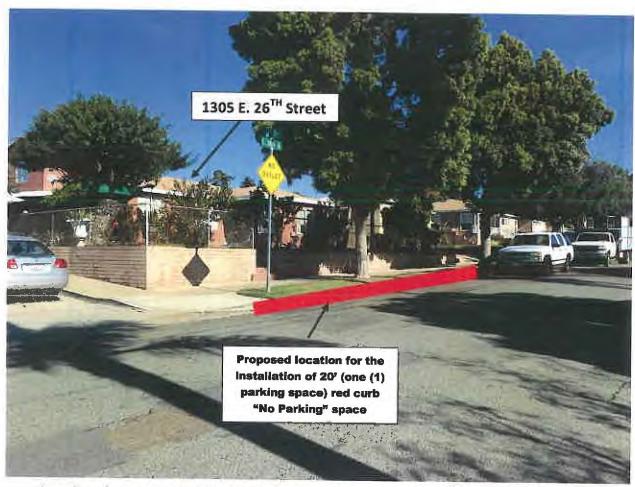
08/24/2016 08:44PM We will accept this as your official request, no need to visit the Engineering Department. This request has been referred to the City Engineer for review and evaluation. Please contact the Engineering Department at 619-336-4380 or via email at engineering@nationalcityca.gov for status. Thank you for using

COMMENTER

Engineering / Public Works Admin. 1

Location Map with Recommended Enhancements (TSC Item: 2016-23)





Location of request to install red curb "No Parking" located on E. 26th Street (looking north)



Location of request to install red curb "No

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of National City ratifying the acceptance of a \$26,362 augmentation to the California Library Literacy Services (CLLS) Grant, fiscal year 2016-17, for the National City Library's Literacy Program, increasing the total grant

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of National City ratifying the acceptance of a \$26,362 augmentation to the California Library Literacy Services (CLLS) Grant, fiscal year 2016-17, for the National City Library's Literacy Program, increasing the total grant amount from \$18,000 to \$44,362; and authorizing the establishment of fund appropriations and a corresponding revenue budget. (Library)

PREPARED BY: G. Olivares

PHONE: 470-5883

DEPARTMENT: Library

APPROVED BY:

EXPLANATION:

In August 2016, the Library was awarded a CLLS grant in a baseline amount of \$18,000 to fund the Library's FY2016-17 Literacy Program. This augmentation of \$26,362 represents the final payment from the California State Library to National City Library and is based on a formula that takes into account the following:

- A per capita amount per adult learner served in the previous year 2015-16
- A *match* on local funds earmarked for adult literacy services and established by a Community Development Block Grant in the amount of \$44,370, which the City Council awarded to the Library for FY2016-17.

With this final payment, the amount of CLLS Grant awarded to National City Library for its FY2016-17 Literacy Program is \$44,362.

FINANCIAL STATEMENT:

ACCOUNT NO. 320-418-339

320-31339-3463

APPROVED:

Finance

MIS

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Approval recommended

BOARD / COMMISSION RECOMMENDATION:

Approved by the Library Board of Trustees on January 9, 2017

ATTACHMENTS:

- 1. Copy of original Letter of Award
- 2. Award Letter for second installment payment
- 3. Resolution



July 22, 2016

Minh Duong National City Public Library 1401 National City Boulevard National City, CA 91950-3314

Dear Ms. Duong:

We're happy to provide funds for the fiscal year that began July 1, to support your California Library Literacy Services program and the important work you, your staff and volunteers do in your community.

There are three parts to the library's funding formula:

- 1. A baseline amount (\$18,000) for each approved literacy program to provide libraries with the funding needed to deliver a minimum level of local literacy staffing and services;
- 2. A per capita amount per adult learner served in the previous year; and
- 3. A *match* on local funds raised and expended for adult literacy services—reflecting a commitment to a continuing state/local partnership and providing an incentive for increased local support for adult literacy.

The recently signed state budget continues California Library Literacy Services funding at \$4.82 million, a \$2 million increase over the funding level two years ago. Last year, the increased investment by the Brown administration allowed five new library jurisdictions to join the state literacy program.

Applications are being accepted for the current fiscal year; we anticipate there will be more jurisdictions eager to help even more learners at other libraries across the state.

At this time, we're providing the \$18,000 baseline amount for your program. The remainder will be sent in the fall after a review of the reports you submit to us in August.

The payment process begins once we receive your signed Claim Form (attached). Please direct any questions to: Lisa Dale at (916) 653-7743 or lisa.dale@library.ca.gov.

Thank you for your willingness to do so much for so many people in need.

Respectfully your

Greg Lucas
California State Librarian

cc: Minh Doung, Literacy Coordinator <u>minh.duong@nationalcitylibrary.org</u>
File

Enc.: Claim Form



December 5, 2016

Minh Duong, City Librarian National City Public Library 1401 National City Boulevard National City, CA 94950

Dear Ms. Duong: Minh

I'm pleased to enclose a claim form for the remainder of your California Library Literacy Services funding for the 2016-2017 fiscal year.

This **final**, **second payment** of your total allocation for the fiscal year that began July 9, 2016 is based on:

- A per capita amount per adult learner served at your library during the previous fiscal year.
- A match on local funds raised and expended for adult literacy services at your library during the fiscal year that ended June 30, 2016.

Earlier this year you received a baseline for your literacy program. The baseline reflects the importance of each library having enough funds to provide local literacy staffing and service.

Below is a re-cap of your total California Library Literacy Services funding for the current program year:

Baseline Adult Literacy Services:

\$18,000 (amount previously claimed)

Final Payment (Per Capita & Match):

\$26,362 (amount to be claimed now)

GRAND TOTAL FOR 2016/17:

\$44,362

Changes in your funding from last year are based on an increase or decrease in the number of adult learners you served, and/or an increase or decrease in the amount of local funds expended on adult literacy last year.

We'll initiate the payment process upon receipt of your signed claim form, which is attached. This final payment will be processed after all reporting requirements from the prior fiscal year have been received, all adjustments made and unexpended monies returned.

The following specific issues or observations are being made about your final report:

We commend you for the growth in number of learners served.

Please mail the signed claim form to: California State Library

Fiscal/Local Assistance
P.O. Box 942837

Sacramento, CA 94237-0001

The attached form requires your signature and serves two purposes:

- 1. Certifies that your library will use the funds for the purpose intended; and
- 2. Requests to claim the funds and have a check sent to you

In January, you'll be asked to revise your literacy budget for the 2016-2017 fiscal year utilizing the actual total allotment from the State Library shown in this award letter. The budget that you submitted with your application earlier this year was based on projections. Your revised budget should reflect updated information and more accurate figures than you had at the time of application.

You'll be asked to report electronically after the close of the fiscal year. Library literacy services staff will provide more details on this process. If you need a copy of your most recent final report and/or application, please contact Andrea Freeland at andrea.freeland@library.ca.gov.

PLEASE REMEMBER THAT ALL STATE FUNDS MUST BE EXPENDED OR ENCUMBERED BY JUNE 30, 2016 OR RETURNED TO THE STATE.

Should you have additional questions regarding the new funding and/or reporting process, please contact:

Lisa Dale

(916) 653-7743 or lisa,dale@library.ca.gov

Andrea Freeland

(916) 651-3191 or andrea.freeland@library.ca.gov

Thanks again for your commitment to literacy. It's one of the most transformative and successful things libraries do.

Respectfully yours,

Greg Lucas

California State Librarian

CC:

City Lieu, Literacy Coordinator (via email: citylibrary.org)
Minh Duong, City Librarian (via email: minh.duong@nationalcitylibrary.org)

Enc.: Claim Form

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the acceptance of the lowest, responsive, responsible bid, for the purchase of (1) 2017 Chevrolet Suburban, for the Fire Department from Ron Baker Chevrolet of National City, in the a

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: AGENDA ITEM NO. January 17, 2017 ITEM TITLE: Resolution of the City Council of the City of National City authorizing the acceptance of the lowest, responsive, responsible bid, for the purchase of (1) 2017 Chevrolet Suburban, for the Fire Department from Ron Baker Chevrolet of National City, in the amount of \$54,229.99. **DEPARTMENT:** Finance PREPARED BY: Debbie Lunt APPROVED BY PHONE: 336-4582 **EXPLANATION:** Request for Bid #GS1617-4 was issued for the purchase of one (1) 2017 Chevrolet Suburban LT, or equal, for the Fire Department. Bids were mailed to twelve (12) vendors, netting two (2) responses. Bids were opened and publicly read on December 15, 2016, with no vendors present for the opening. The purpose of the vehicle is as follows: (1) 2017 Chevrolet Suburban (Fire) - Battalion Chief Vehicle FINANCIAL STATEMENT: APPROVED: ACCOUNT NO. APPROVED: MIS Funds are appropriated in account number 644-412-125-511-0000 - \$54,229.99 **ENVIRONMENTAL REVIEW:** This is not a project and, therefore, not subject to environmental review. ORDINANCE: INTRODUCTION: FINAL ADOPTION: STAFF RECOMMENDATION: Adopt the Resolution, accepting the bid and authorizing the purchase. **BOARD / COMMISSION RECOMMENDATION:**

ATTACHMENTS:

1. Resolution

N/A

2. Bid Abstract

BIDDER:	Suburban	Other	SUB	9%Tax	TIRE FEE	PYMT TERMS	TOTAL	
Ron Baker Chevrolet	\$49,744.26		\$49,744.26	\$4,476.98	\$8.75	Net 30	\$54,229.99	AWARD
National City, CA	Ψ10,7 11.20		V10,1111.20	ψ1,170.00	ψ0.7 σ	1101.00	ΨΟ 1,ΣΣΟ.ΟΟ	7100711125
Lake Chevrolet	\$50,750.00	\$80.00	\$50,830.00	\$4,574.70	\$8.75	Net 30	\$55,413.45	
Lake Elsinore, CA								
Bob Stall Chevrolet	No Response							
La Mesa, CA								
	No Response			-1				
Escondido, C							*	
Courtesy Chevrolet San Diego, CA	No Response							
City Chevrolet	No Response	4.4					·	
San Diego, CA								
Jimmy Johnson Chev San Diego, CA	No Response							
Weseloh Chevrolet	No Response							
Carlsbad, CA								
Paradise Chevrolet Temecula, CA	No Response	-						
								1
Gosch Chevrolet Hemet, CA	No Response							
Simpson Chev of Irvine	No Response							
Irvine, CA								
Connell Chevrolet Costa Mesa, CA	No Response							

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the Mayor to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

AGENDA ITEM NO. **MEETING DATE:** January 17, 2017 ITEM TITLE: Resolution of the City Council of the City of National City authorizing the Mayor to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options. **DEPARTMENT**: Finance PREPARED BY: Mark Roberts, Director of Finance APPROVED BY: PHONE: 619-336-4265 **EXPLANATION:** See attached staff report.

FINANCIAL STATEMENT:

ACCOUNT NO.

NA

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

APPROVED:

APPROVED:

Finance

MIS

STAFF RECOMMENDATION:

Adopt the resolution, authorizing the Mayor to execute the agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options.

BOARD / COMMISSION RECOMMENDATION:

NA

ATTACHMENTS:

- 1. Staff report
- 2. NHA Advisors, LLC Agreement
- 3. Resolution



City Council Staff Report

January 17, 2017

ITEM

Resolution of the City Council of the City of National City authorizing the Mayor to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options.

BACKGROUND

The City has received professional municipal (financial) advisory services for several years. These services have been provided to assist the City with reviewing its long-range financing needs and developing alternative strategies for meeting those needs, analyzing and interpreting legislation for economic or financial opportunities or impacts for the City, analyzing and interpreting complex business plans and financial proposals made to the City, and issuing debt.

In anticipation of the expiration of its agreement with its current municipal advisor, Urban Futures, Inc., on January 31, 2017, the City, on behalf of itself, the Housing Authority, and the Successor Agency, issued a request for proposals ("RfP") for municipal advisory services on September 15, 2016.

REQUEST FOR PROPOSALS PROCESS

As noted above, the City issued an RfP for municipal advisory services on September 15, 2016. The RfP was sent to several municipal advisory firms and was posted on the City's and the California Society of Municipal Finance Officers (CSMFO) websites. Responses to the RfP were due by 5:00 pm on October 13, 2016.

The City received four (4) proposals in response to the RfP. The firms submitting proposals, listed in alphabetical order, are:

KNN Public Finance, LLC; Kosmont Transactions Services; NHA Advisors, LLC; Urban Futures, Inc.

A selection panel reviewed all proposals and interviewed all submitting firms. The selection panel included the following members:

Janel Pehau, Finance Analyst;

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Resolution of the City Council of the City of National City authorizing the Mayor to execute an agreement with NHA Advisors, LLC ("NHA") for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options. January 17, 2017

Javier Carcamo, Financial Services Officer; Alfredo Ybarra, Director of Housing & Economic Development; Tim McDermott, Director of Finance / Treasurer, City of Santee; Alicia Granados, Accountant, City of Chula Vista.

In order to rank the firms and provide a recommendation to the City Council, the selection panel considered:

- relevant experience with California municipal governments;
- commitment of key members of the firm to the City;
- demonstrated knowledge of the work/services required;
- approach to municipal advisory services; and
- cost of services.

After reviewing and considering each proposal and interviewing representatives of each of the firms, the consensus of the panel members was that NHA Advisors, LLC would best meet the municipal advisory services needs of the City.

NHA Advisors (from submitted proposal)

NHA Advisors, LLC ("NHA") is an independently-owned municipal advisor/Independent Registered Municipal Advisor organized as a California limited liability company. NHA specializes in providing municipal advisory services to local government agencies only in California, with a primary focus on small and medium-sized cities, special districts (utilities and community services), and successor agencies to redevelopment.

NHA is registered with the Municipal Securities Rulemaking Board and has five practicing municipal advisors. The three principals of NHA each have more than 25 years of public finance experience. Its two vice presidents each have more than 10 years of public financing experience.

Every member of NHA has dedicated his/her entire career to the public sector, either as a consultant or directly in public service. NHA only brings qualified and experienced people into the organization and does not believe in training individuals at the expense of public agencies.

NHA serves as municipal advisor to public agencies throughout California, working with over 60 municipalities on projects including proposal review for new development, budget and long-term planning, policy considerations, and traditional municipal finance.

RECOMMENDATION

Staff recommends the City Council authorize the Mayor to execute the agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options.

FISCAL IMPACT

Page 3

Resolution of the City Council of the City of National City authorizing the Mayor to execute an agreement with NHA Advisors, LLC ("NHA") for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options. January 17, 2017

NHA's advisory fees (for projects not related to the issuance of any debt obligations) will be based upon hourly rates for actual work performed, in accordance with the following schedule:

Person Performing Work	Hourly Rate
Principal	\$275
Vice President	\$225
Associate	\$175
Analyst	\$125
Administrative	\$75

These fees do not include reasonable and necessary out-of-pocket expenses, including but not limited to data resources, photocopying, postage, and delivery. California travel will not be considered a reimbursable expense.

For projects associated with the issuance of notes, bonds, or other obligations, NHA's fees will be based upon the schedule below. The ranges provided in the schedule are indicative. NHA's specific compensation on a project will depend upon the time required to complete the process, which is typically a function of credit quality, structure, nature/extent of NHA's role, and NHA's expected time commitment.

Project	Fee Range
Tax and Revenue Anticipation Notes	\$17,500 - \$22,500
Certificates of Participation	\$42,500 - \$67,500
Revenue Bonds	\$47,500 - \$72,500
Assessment Districts	\$32,500 - \$72,500
Community Facilities Districts	\$37,500 - \$72,500
Tax Allocation Bonds	\$47,500 - \$92,500

Fees related to the issuance of debt typically are included in costs of issuance and financed by the debt.

ATTACHMENTS

Attachment 1 – NHA Advisors, LLC Agreement

Attachment 2 – Resolution

AGREEMENT BY AND BETWEEN THE CITY OF NATIONAL CITY AND NHA ADVISORS, LLC

THIS AGREEMENT is entered into this 17th day of January, 2017, by and between the CITY OF NATIONAL CITY, a municipal corporation (the "CITY"), and NHA ADVISORS, LLC, a California limited liability company (the "CONSULTANT").

RECITALS

WHEREAS, the CITY desires to employ a CONSULTANT to provide municipal advisory services.

WHEREAS, the CITY has determined that the CONSULTANT is a municipal advisor and is qualified by experience and ability to perform the services desired by the CITY, and the CONSULTANT is willing to perform such services.

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

1. **ENGAGEMENT OF CONSULTANT.** The CITY agrees to engage the CONSULTANT, and the CONSULTANT agrees to perform the services set forth here in accordance with all terms and conditions contained herein.

The CONSULTANT represents that all services shall be performed directly by the CONSULTANT or under direct supervision of the CONSULTANT.

- 2. **EFFECTIVE DATE AND LENGTH OF AGREEMENT.** This Agreement will become effective on January 17, 2017. The duration of this Agreement is for the period of January 17, 2017 through December 31, 2019. This Agreement may be extended by mutual agreement upon the same terms and conditions for two (2) additional one (1) year terms.
- 3. **SCOPE OF SERVICES.** The CONSULTANT shall perform municipal advisory services as set forth in the attached Exhibit "A."

The CONSULTANT shall be responsible for all research and reviews related to the work and shall not rely on personnel of the CITY for such services, except as authorized in advance by the CITY.

The CITY may unilaterally, or upon request from the CONSULTANT, from time to time reduce or increase the Scope of Services to be performed by the CONSULTANT under this Agreement. Upon doing so, the CITY and the CONSULTANT agree to meet in good faith and confer for the purpose of negotiating a corresponding reduction or increase in the compensation associated with said change in services.

4. **PROJECT COORDINATION AND SUPERVISION.** The Director of Finance is designated as the Project Coordinator for the CITY and will monitor the progress and

execution of this Agreement. The CONSULTANT shall assign a single Project Director to provide supervision and have overall responsibility for the progress and execution of this Agreement for the CONSULTANT. Craig Hill thereby is designated as the Project Director for the CONSULTANT.

COMPENSATION AND PAYMENT. The compensation for the CONSULTANT shall be based upon billing(s) covering actual work performed in accordance with the rates stated in the attached Exhibit "B." Billings shall include labor classifications, respective rates, hours worked and also materials, if any. The labor rates for work described in Exhibit "A" of this agreement shall not exceed the rates listed in Exhibit "B" of this Agreement. Compensation for bond transactions shall be based upon the schedule included in Exhibit "B" and shall not exceed the rates listed in Exhibit "B." Invoices will be processed for payment and remitted within thirty (30) days from receipt of invoice, provided that work is accomplished consistent with Exhibit "A," as determined by the CITY.

The CONSULTANT shall maintain all books, documents, papers, employee time sheets, accounting records, and other evidence pertaining to costs incurred, and shall make such materials available at its office at all reasonable times during the term of this Agreement and for three (3) years from the date of final payment under this Agreement, for inspection by the CITY, and for furnishing of copies to the CITY, if requested.

- 6. ACCEPTABILITY OF WORK. The CITY shall decide any and all questions which may arise as to the quality or acceptability of the services performed and the manner of performance, the acceptable completion of this Agreement, and the amount of compensation due. In the event the CONSULTANT and the CITY cannot agree to the quality or acceptability of the work, the manner of performance and/or the compensation payable to the CONSULTANT in this Agreement, the CITY or the CONSULTANT shall give to the other written notice. Within ten (10) business days, the CONSULTANT and the CITY shall each prepare a report which supports their position and file the same with the other party. The CITY shall, with reasonable diligence, determine the quality or acceptability of the work, the manner of performance, and/or the compensation payable to the CONSULTANT.
- 7. <u>DISPOSITION AND OWNERSHIP OF DOCUMENTS</u>. The Memoranda, Reports, Maps, Drawings, Plans, Specifications, and other documents prepared by the CONSULTANT for this Project, whether paper or electronic, shall become the property of the CITY for use with respect to this Project, and shall be turned over to the CITY upon completion of the Project, or any phase thereof, as contemplated by this Agreement.

Contemporaneously with the transfer of documents, the CONSULTANT hereby assigns to the CITY, and CONSULTANT thereby expressly waives and disclaims any copyright in, and the right to reproduce, all written material, drawings, plans, specifications, or other work prepared under this Agreement, except upon the CITY'S prior authorization regarding reproduction, which authorization shall not be unreasonably withheld. The CONSULTANT shall, upon request of the CITY, execute any further document(s) necessary to further effectuate this waiver and disclaimer.

The CONSULTANT agrees that the CITY may use, reuse, alter, reproduce, modify, assign, transfer, or in any other way, medium, or method utilize the CONSULTANT'S

written work product for the CITY'S purposes, and the CONSULTANT expressly waives and disclaims any residual rights granted to it by Civil Code Sections 980 through 989 relating to intellectual property and artistic works.

Any modification or reuse by the CITY of documents, drawings, or specifications prepared by the CONSULTANT shall relieve the CONSULTANT from liability under Section 14, but only with respect to the effect of the modification or reuse by the CITY, or for any liability to the CITY should the documents be used by the CITY for some project other than what was expressly agreed upon within the Scope of this project, unless otherwise mutually agreed.

8. <u>INDEPENDENT CONTRACTOR</u>. Both parties hereto in the performance of this Agreement will be acting in an independent capacity and not as agents, employees, partners, or joint venturers with one another. Neither the CONSULTANT nor the CONSULTANT'S employees are employees of the CITY, and are not entitled to any of the rights, benefits, or privileges of the CITY'S employees, including but not limited to retirement, medical, unemployment, or workers' compensation insurance.

This Agreement contemplates the personal services of the CONSULTANT and the CONSULTANT'S employees, and it is recognized by the parties that a substantial inducement to the CITY for entering into this Agreement was, and is, the professional reputation and competence of the CONSULTANT and its employees. Neither this Agreement nor any interest herein may be assigned by the CONSULTANT without the prior written consent of the CITY. Nothing herein contained is intended to prevent the CONSULTANT from employing or hiring as many employees, or SUBCONSULTANTS, as the CONSULTANT may deem necessary for the proper and efficient performance of this Agreement. All agreements by CONSULTANT with its SUBCONSULTANT(S) shall require the SUBCONSULTANT(S) to adhere to the applicable terms of this Agreement.

- 9. **CONTROL.** Neither the CITY nor its officers, agents, or employees shall have any control over the conduct of the CONSULTANT or any of the CONSULTANT'S employees, except as herein set forth, and the CONSULTANT or the CONSULTANT'S agents, servants, or employees are not in any manner agents, servants, or employees of the CITY, it being understood that the CONSULTANT its agents, servants, and employees are as to the CITY wholly independent CONSULTANT, and that the CONSULTANT'S obligations to the CITY are solely such as are prescribed by this Agreement.
- 10. COMPLIANCE WITH APPLICABLE LAW. The CONSULTANT, in the performance of the services to be provided herein, shall comply with all applicable state and federal statutes and regulations, all Municipal Securities Rulemaking Board rules, and all applicable ordinances, rules, and regulations of the City of National City, whether now in force or subsequently enacted. The CONSULTANT and each of its SUBCONSULTANT(S), shall obtain and maintain a current City of National City business license prior to and during performance of any work pursuant to this Agreement.
- 11. <u>LICENSES, PERMITS, ETC.</u> The CONSULTANT represents and covenants that it has all licenses, permits, qualifications, and approvals of whatever nature that are legally required to practice its profession. The CONSULTANT represents and covenants that the

CONSULTANT shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement, any license, permit, or approval which is legally required for the CONSULTANT to practice its profession.

12. STANDARD OF CARE.

- A. The CONSULTANT, in performing any services under this Agreement, shall perform in a manner consistent with that level of care and skill ordinarily exercised by members of the CONSULTANT'S trade or profession currently practicing under similar conditions and in similar locations. The CONSULTANT shall take all special precautions necessary to protect the CONSULTANT'S employees and members of the public from risk of harm arising out of the nature of the work and/or the conditions of the work site.
- B. Unless disclosed in writing prior to the date of this Agreement, the CONSULTANT warrants to the CITY that it is not now, nor has it for the five (5) years preceding, been debarred by a governmental agency or involved in debarment, arbitration or litigation proceedings concerning the CONSULTANT'S professional performance or the furnishing of materials or services relating thereto.
- C. The CONSULTANT is responsible for identifying any unique products, treatments, processes or materials whose availability is critical to the success of the project the CONSULTANT has been retained to perform, within the time requirements of the CITY, or, when no time is specified, then within a commercially reasonable time. Accordingly, unless the CONSULTANT has notified the CITY otherwise, the CONSULTANT warrants that all products, materials, processes or treatments identified in the project documents prepared for the CITY are reasonably commercially available. Any failure by the CONSULTANT to use due diligence under this sub-paragraph will render the CONSULTANT liable to the CITY for any increased costs that result from the CITY'S later inability to obtain the specified items or any reasonable substitute within a price range that allows for project completion in the time frame specified or, when not specified, then within a commercially reasonable time.
- discriminate against any employee or applicant for employment because of age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. The CONSULTANT will take positive action to insure that applicants are employed without regard to their age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The CONSULTANT agrees to post in conspicuous places available to employees and applicants for employment any notices provided by the CITY setting forth the provisions of this non-discrimination clause.
- 14. <u>CONFIDENTIAL INFORMATION</u>. The CITY may from time to time communicate to the CONSULTANT certain confidential information to enable the CONSULTANT to effectively perform the services to be provided herein. The CONSULTANT shall treat all such information as confidential and shall not disclose any part thereof without the prior written consent of the CITY. The CONSULTANT shall limit the use and circulation of such information, even within its own organization, to the extent necessary to perform the services to be provided herein. The foregoing obligation of this Section 14, however, shall not apply to any part of the information that (i) has been disclosed in publicly available sources of

information; (ii) is, through no fault of the CONSULTANT, hereafter disclosed in publicly available sources of information; (iii) is already in the possession of the CONSULTANT without any obligation of confidentiality; or (iv) has been or is hereafter rightfully disclosed to the CONSULTANT by a third party, but only to the extent that the use or disclosure thereof has been or is rightfully authorized by that third party.

The CONSULTANT shall not disclose any reports, recommendations, conclusions, or other results of the services or the existence of the subject matter of this Agreement without the prior written consent of the CITY. In its performance hereunder, the CONSULTANT shall comply with all legal obligations it may now or hereafter have respecting the information or other property of any other person, firm, or corporation.

CONSULTANT shall be liable to CITY for any damages caused by breach of this condition, pursuant to the provisions of Section 14.

- agrees to defend, indemnify and hold harmless the City of National City, its officers and employees, against and from any and all liability, loss, damages to property, injuries to, or death of any person or persons, and all claims, demands, suites, actions, proceedings, reasonable attorneys' fees, and defense costs, of any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the CONSULTANT'S performance or other obligations under this Agreement; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the CITY, its agents, officers, or employees. The indemnity, defense, and hold harmless obligations contained herein shall survive the termination of this Agreement for any alleged or actual omission, act, or negligence under this Agreement that occurred during the term of this Agreement.
- of the provisions of the Workers' Compensation Insurance and Safety Acts of the State of California, the applicable provisions of Division 4 and 5 of the California Government Code and all amendments thereto; and all similar State or federal acts or laws applicable; and shall indemnify, and hold harmless the CITY and its officers, and employees from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description, including reasonable attorney's fees and defense costs presented, brought or recovered against the CITY or its officers, employees, or volunteers, for or on account of any liability under any of said acts which may be incurred by reason of any work to be performed by the CONSULTANT under this Agreement.
- 17. <u>INSURANCE</u>. The CONSULTANT, at its sole cost and expense, shall purchase and maintain, and shall require its SUBCONSULTANT(S), when applicable, to purchase and maintain throughout the term of this Agreement, the following checked insurance policies:
- A. If checked, **Professional Liability** Insurance (errors and omissions) with minimum limits of \$5,000,000 per occurrence.
- B. Automobile Insurance covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include owned, non-owned, and hired vehicles ("any auto"). The policy shall name the CITY and its officers, agents and

employees as additional insureds, and a separate additional insured endorsement shall be provided.

- C. Commercial General Liability Insurance, with minimum limits of \$2,000,000 per occurrence and \$4,000,000 aggregate, covering all bodily injury and property damage arising out of its operations under this Agreement. The policy shall name the CITY and its officers, agents and employees as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to this "project" or "location."
- D. Workers' Compensation Insurance in an amount sufficient to meet statutory requirements covering all of CONSULTANT'S employees and employers' liability insurance with limits of at least \$1,000,000 per accident. In addition, the policy shall be endorsed with a waiver of subrogation in favor of the CITY. Said endorsement shall be provided prior to commencement of work under this Agreement.

If CONSULTANT has no employees subject to the California Workers' Compensation and Labor laws, CONSULTANT shall execute a Declaration to that effect. Said Declaration shall be provided to CONSULTANT by CITY.

- E. The aforesaid policies shall constitute primary insurance as to the CITY, its officers, employees, and volunteers, so that any other policies held by the CITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior written notice to the CITY of cancellation or material change.
- F. If required insurance coverage is provided on a "claims made" rather than "occurrence" form, the CONSULTANT shall maintain such insurance coverage for three years after expiration of the term (and any extensions) of this Agreement. In addition, the "retro" date must be on or before the date of this Agreement.
- G. Insurance shall be written with only California admitted companies that hold a current policy holder's alphabetic and financial size category rating of not less than A VIII according to the current Best's Key Rating Guide, or a company equal financial stability that is approved by the CITY'S Risk Manager. In the event coverage is provided by non-admitted "surplus lines" carriers, they must be included on the most recent California List of Eligible Surplus Lines Insurers (LESLI list) and otherwise meet rating requirements.
- H. This Agreement shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with, and approved by the CITY'S Risk Manager. If the CONSULTANT does not keep all of such insurance policies in full force and effect at all times during the terms of this Agreement, the CITY may elect to treat the failure to maintain the requisite insurance as a breach of this Agreement and terminate the Agreement as provided herein.
- I. All deductibles and self-insured retentions in excess of \$10,000 must be disclosed to and approved by the CITY.
- 18. **LEGAL FEES.** If any party brings a suit or action against the other party arising from any breach of any of the covenants or agreements or any inaccuracies in any of the representations and warranties on the part of the other party arising out of this Agreement, then in that event, the prevailing party in such action or dispute, whether by final judgment or out-of-court settlement, shall be entitled to have and recover of and from the other party all costs and expenses of suit, including attorneys' fees.

For purposes of determining who is to be considered the prevailing party, it is stipulated that attorney's fees incurred in the prosecution or defense of the action or suit shall not

be considered in determining the amount of the judgment or award. Attorney's fees to the prevailing party if other than the CITY shall, in addition, be limited to the amount of attorney's fees incurred by the CITY in its prosecution or defense of the action, irrespective of the actual amount of attorney's fees incurred by the prevailing party.

19. **TERMINATION.**

- A. This Agreement may be terminated with or without cause by the CITY. Termination without cause shall be effective only upon 60-day's written notice to the CONSULTANT. During said 60-day period the CONSULTANT shall perform all services in accordance with this Agreement.
- B. This Agreement may also be terminated immediately by the CITY for cause in the event of a material breach of this Agreement, misrepresentation by the CONSULTANT in connection with the formation of this Agreement or the performance of services, or the failure to perform services as directed by the CITY.
- C. Termination with or without cause shall be effected by delivery of written Notice of Termination to the CONSULTANT as provided for herein.
- D. In the event of termination, all finished or unfinished Memoranda Reports, Maps, Drawings, Plans, Specifications and other documents prepared by the CONSULTANT, whether paper or electronic, shall immediately become the property of and be delivered to the CITY, and the CONSULTANT shall be entitled to receive just and equitable compensation for any work satisfactorily completed on such documents and other materials up to the effective date of the Notice of Termination, not to exceed the amounts payable hereunder, and less any damages caused the CITY by the CONSULTANT'S breach, if any. Thereafter, ownership of said written material shall vest in the CITY all rights set forth in Section 7.
- E. The CITY further reserves the right to immediately terminate this Agreement upon: (1) the filing of a petition in bankruptcy affecting the CONSULTANT; (2) a reorganization of the CONSULTANT for the benefit of creditors; or (3) a business reorganization, change in business name or change in business status of the CONSULTANT.
- NOTICES. All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered; or sent by overnight mail (Federal Express or the like); or sent by registered or certified mail, postage prepaid, return receipt requested; or sent by ordinary mail, postage prepaid; or telegraphed or cabled; or delivered or sent by telex, telecopy, facsimile or fax; and shall be deemed received upon the earlier of (i) if personally delivered, the date of delivery to the address of the person to receive such notice, (ii) if sent by overnight mail, the business day following its deposit in such overnight mail facility, (iii) if mailed by registered, certified or ordinary mail, five (5) days (ten (10) days if the address is outside the State of California) after the date of deposit in a post office, mailbox, mail chute, or other like facility regularly maintained by the United States Postal Service, (iv) if given by telegraph or cable, when delivered to the telegraph company with charges prepaid, or (v) if given by telex, telecopy, facsimile or fax, when sent. Any notice, request, demand, direction or other communication delivered or sent as specified above shall be directed to the following persons:

To CITY:

Director of Finance City of National City 1243 National City Boulevard National City, CA 91950-4301

To CONSULTANT:

Craig Hill, Principal NHA Advisors, LLC 4040 Civic Center Drive, Suite 200 San Rafael, CA 94903

Notice of change of address shall be given by written notice in the manner specified in this Section. Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to constitute receipt of the notice, demand, request, or communication sent. Any notice, request, demand, direction or other communication sent by cable, telex, telecopy, facsimile or fax must be confirmed within forty-eight (48) hours by letter mailed or delivered as specified in this Section.

OBLIGATIONS. During the term of this Agreement, the CONSULTANT shall not perform services of any kind for any person or entity whose interests conflict in any way with those of the CITY. The CONSULTANT also agrees not to specify any product, treatment, process, or material for the project in which the CONSULTANT has a material financial interest, either direct or indirect, without first notifying the CITY of that fact. The CONSULTANT shall at all times comply with the terms of the Political Reform Act and the National City Conflict of Interest Code. The CONSULTANT shall immediately disqualify itself and shall not use its official position to influence in any way any matter coming before the CITY in which the CONSULTANT has a financial interest as defined in Government Code Section 87103. The CONSULTANT represents that it has no knowledge of any financial interests that would require it to disqualify itself from any matter on which it might perform services for the CITY.

If checked, the CONSULTANT shall comply with all of the reporting requirements of the Political Reform Act and the National City Conflict of Interest Code. Specifically, the CONSULTANT shall file a Statement of Economic Interests with the City Clerk of the City of National City in a timely manner on forms which the CONSULTANT shall obtain from the City Clerk.

The CONSULTANT shall be strictly liable to the CITY for all damages, costs or expenses the CITY may suffer by virtue of any violation of this Paragraph 22 by the CONSULTANT.

22. **PREVAILING WAGES**. State prevailing wage rates may apply to work performed under this Agreement. State prevailing wages rates apply to all public works contracts as set forth in California Labor Code, including but not limited to, Sections 1720, 1720.2, 1720.3, 1720.4, and 1771. Consultant is solely responsible to determine if State prevailing wage rates apply and, if applicable, pay such rates in accordance with all laws, ordinances, rules, and regulations.

23. MISCELLANEOUS PROVISIONS.

- A. Computation of Time Periods. If any date or time period provided for in this Agreement is or ends on a Saturday, Sunday or federal, state or legal holiday, then such date shall automatically be extended until 5:00 p.m. Pacific Time of the next day which is not a Saturday, Sunday or federal, state, or legal holiday.
- B. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute but one and the same instrument.
- C. Captions. Any captions to, or headings of, the sections or subsections of this Agreement are solely for the convenience of the parties hereto, are not a part of this Agreement, and shall not be used for the interpretation or determination of the validity of this Agreement or any provision hereof.
- D. No Obligations to Third Parties. Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, or obligate any of the parties hereto, to any person or entity other than the parties hereto.
- E. Exhibits and Schedules. The Exhibits and Schedules attached hereto are hereby incorporated herein by this reference for all purposes. To the extent any exhibits or schedules or provisions thereof conflict or are inconsistent with the terms and conditions contained in this Agreement, the terms and conditions of this Agreement will control.
- F. Amendment to this Agreement. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.
- G. Waiver. The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.
- H. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.
- I. Audit. If this Agreement exceeds ten-thousand dollars (\$10,000), the parties shall be subject to the examination and audit of the State Auditor for a period of three (3) years after final payment under the Agreement, per Government Code Section 8546.7.
- J. Entire Agreement. This Agreement supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent, or representative of any party hereto shall be of any effect unless it is in writing and executed by the party to be bound thereby.
- K. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.
- L. Construction. The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, (iii) each such party has consulted with or has had the opportunity to consult with its own, independent counsel and such other professional advisors as such party has deemed appropriate, relative to any and all matters contemplated under this Agreement, (iv) each party and such party's counsel and advisors have reviewed this Agreement, (v) each party has agreed to enter into this Agreement following such review and the rendering of such advice, and (vi) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

CITY OF NATIONAL CITY	NHA ADVISORS, LLC
Ву:	Ву:
Ron Morrison, Mayor	(Name)
	(Print)
APPROVED AS TO FORM:	(Title)
George H. Eiser, III InterimCity Attorney	

NHA Advisors, LLC Scope of Services

Municipal advisory services may include, but are not limited to, assisting the City of National City ("City") to:

- review the City's long-range financing needs, particularly with respect to its capital improvement program, and develop alternative strategies for meeting those needs;
- analyze and interpret legislation for economic or financial opportunities or impacts for the City;
- analyze and interpret complex business plans and financial proposals made to the City;
- present alternative strategies for managing the City's current or future debt to achieve the best value for taxpayers.

The consultant may also be called upon to assist with the issuance of debt, including, but not limited to:

- review of credit issues & key terms of the financing indenture;
- review and analysis of complex business plans and financial proposals, including those for refunding opportunities, made to the City;
- selling bonds or obtaining other debt financing by performing tasks such as:
 - o advising on the essential features of the bond or other financing structure;
 - providing market analysis and information to determine the best method of sale or course of action for the City;
 - assisting with or preparing requests for proposals as appropriate for other professional services needed to carry out the financing;
 - participating in the preparation of offering or other documents needed for the financing;
 - preparing or coordinating the preparation of material for such purposes as rating agency and credit enhancement review processes;
 - o coordinating the bidding for bonds in a competitive sale;
 - o negotiating bond terms in a negotiated sale;
 - working with the finance team to facilitate an effective bond sale or other closing and delivery of proceeds;
 - providing post-sale advice on proceeds investments (as needed);
- preparation and submittal of continuing disclosure reports annually, or as otherwise required by the City's current or future bond covenants, to the Electronic Municipal Market Access, a service of the Municipal Securities Rulemaking Board.

NHA ADVISORS, LLC

HOURLY RATES AND MAXIMUM FEE TO PERFORM MUNICIPAL ADVISORY SERVICES

For projects not directly related to the issuance of any debt obligations, the City of National City ("City") will be billed at the following hourly rates:

Principal	\$275
Vice President	\$225
Associate	\$175
Analyst	\$125
Administrative	\$75

The City will reimburse NHA for reasonable and necessary out-of-pocket expenses, including but not limited to data resources, photocopying, postage, and delivery. California travel will not be considered a reimbursable expense.

For projects associated with the issuance of notes, bonds, or other obligations, the City will compensate NHA in accordance with the table below. The ranges provided in the table are indicative. NHA's specific compensation on a project, which shall be agreed upon prior to commencement of the project, will depend upon the time required to complete the process, which is typically a function of credit quality, structure, and nature/extent of NHA's role, and NHA's expected time commitment.

Project	Fee Range
Tax and Revenue Anticipation Notes	\$17,500 - \$22,500
Certificates of Participation	\$42,500 - \$67,500
Tax Allocation Bonds	\$47,500 - \$92,500
Revenue Bonds	\$47,500 - \$72,500
Assessment Districts	\$32,500 - \$72,500
Community Facilities Districts	\$37,500 - \$72,500

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City adopting the amended Policy 802 of the City Council Policy Manual Chapter 800. (Neighborhood Services)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO. ITEM TITLE: Resolution of the City Council of the City of National City adopting the amended Policy 802 of the City Council Policy Manual Chapter 800. PREPARED BY: Armando Vergara, Director NSD 619-336-4213 **DEPARTMENT:** Neighborhood Services PHONE: APPROVED BY: **EXPLANATION:** See attached **FINANCIAL STATEMENT:** APPROVED: **Finance** ACCOUNT NO. APPROVED: MIS N/A **ENVIRONMENTAL REVIEW:** N/A ORDINANCE: INTRODUCTION: FINAL ADOPTION: STAFF RECOMMENDATION: Adopt Resolution **BOARD / COMMISSION RECOMMENDATION:** N/A **ATTACHMENTS:** 1) Staff Report 2) Resolution 3) Council Policy 802



City Council Staff Report

January 17, 2017

ITEM

Staff Report: Resolution of the City Council of the City of National City adopting the amended Policy 802 of the City Council Policy Manual Chapter 800.

BACKGROUND

The City Council recognizes that special events are an important part of the special lifestyles that defines National City and makes our City unique, however the City Council is concerned with the increasing cost for special events. These include concerts, festivals, parades and sporting events which take place at City parks and facilities or on City streets and rights-of-way. To address these concerns, Policy 802 (formerly 804) was created and adopted on October 3, 2006 which provided guidelines to deal with the cost of City support and that are subject to the City's economic condition and resources. On August 3, 2010, this policy was revised for budgetary reasons and the City's need to reduce expenditures. Financial support for co-sponsored events was reduced from \$1500 to \$1000 and some regional events were removed from City sponsorship.

In mid-2013, the City Council appointed two committees to review and update Council Policy 801 (Recreational Field and Sports Facility Rules and Regulations) and 802 (City Support for Special Events). These committees consisted of Mayor Morrison, Council Member Sotelo-Solis, Council Member Rios, Executive Director Raulston, Neighborhood Services Manager Vergara, former Community Services Recreation Superintendent Cissel and Public Works Park Superintendent Diaz. The committees met a number of times to discuss and review the existing policies and make recommendations.

In 2016, the City Manager directed staff to review and revise the 800 policies. After completion of the review process and evaluation, staff met with Mayor and Councilmembers and discussed the proposed recommendations and consolidation of five Chapter 800 policies into three policies. On April 5, 2016, Policy 801, 802 and 803 were amended and adopted.

- Policy 801 Recreational Field and Sports Facility Rules and Regulations
- Policy 802 City Support for Special Events & Use of the City Mobile Stage
- Policy 803 Facility Use Guidelines and Regulations for the Use of Community Centers

Page 2

Staff Report – Resolution of the City Council of the City of National City adopting the amended Policy 802 of the City Council Policy Manual Chapter 800.

January 17, 2017

DISCUSSION

As discussed above, City Council Policy Chapter 800 was amended in early 2016 with revisions to Policy 801, 802 and 803. As part of the yearly review of the Special Events for City Council Policy 802 and new non-profit applicants requesting consideration for City Co-Sponsorship, Policy 802 Committee met on December 5, 2016.

This 802 Council Policy Committee consist of Mayor Morrison, Council Member Rios, Deputy City Manager Raulston, Neighborhood Services Director Vergara, Community Services Recreation Superintendent Denham and Public Works Park Superintendent Diaz. The committee was presented with three local non-profit organizations requesting consideration to be added to the co-sponsored event list per Policy 802. The following qualified applicant organizations were:

- Maytime Band Review
- Sweetwater Kiwanis Club
- Mabuhay Festival

After review and discussion, the committee approved the recommendation of adding these three above listed organizations to the National City Co-Sponsored Event List Attachment "A". The committee also considered and recommended the removal of the following events listed on Attachment "A" that have been non-active and are no longer processing their annual event in National City:

- Chamber Installation Dinner
- Taste of National City

The committee also reviewed the policy section which currently allows non co-sponsored applicants the ability to request a waiver of fees in the amount up to the maximum level of \$1000 per event day. It is the recommendation of the committee that this fee amount be lowered to \$500 maximum per event day.

RECOMMENDATION

Staff recommends adoption of Resolution.

CITY COUNCIL POLICY CITY OF NATIONAL CITY

TITLE: City Support for Special Events & Use of the City Mobile Stage POLICY 802

ADOPTED: October 3, 2006

AMENDED: January 17, 2017

BACKGROUND:

The Council recognizes that special events are a lifestyle that defines National City's history and makes our City unique. However, City Council is also concerned with the increasing cost of City support of special events, examples of which are concerts, festivals, parades and sporting events which take place at City parks and facilities or in City streets and rights-of-way. The Council notes that City support of special events, be it police traffic service, fire standby service or other support, is not specially budgeted and is provided through reductions in the level of service for budgeted programs.

DEFINITIONS:

1. "SPECIAL EVENT" as defined in Municipal Code Section 15.60.005 means any organized activity conducted for a common or collective purpose, use or benefit which involves the utilization of, or has an impact upon, public property or facilities and the need for providing municipal and public safety services in response to the event.

Examples of Special Events include, but are not limited to:

- a. Parades
- b. Public concerts and other community cultural events
- c. Demonstrations
- d. Circuses
- e. Fairs and festivals
- f. Community or neighborhood block parties and street dances
- g. Mass participation sports (marathons, bicycles races and tours)
- h. Film making activities
- i. Public speaker events
- 2. "CITY SUPPORT" means any City services required to maintain minimal interference and inconvenience to the general public resulting from a Special Event.

City Support includes, but is not limited to:

- a. Special Event permit processing
- b. Police services
- c. Sanitation and cleanup
- d. Maintaining access for emergency vehicles and provision of medical care
- e. Street closures
- f. Use of City Stage, PA equipment and/or Information Trailer

ADOPTED: October 3, 2006 AMENDED: January 17, 2016

City Support does not include internal security, crowd control and other services considered the responsibility of the Special Event Sponsor.

- 3. "NON PROFIT" means a non-profit tax exempt organization (501(c)(3)) that is exempted from payment of income taxes by federal or state law and which has been in existence for a minimum of six (6) months preceding the date of application for a special event.
- "PUBLIC FACILITY" means any property, building, or public access (street, park, theater, etc.) that lies within the City and which is owned or operated by the City for public benefit or usage.
- 5. "EVENT ORGANIZER" means any person, group, or corporation assuming responsibility for planning, promoting, and carrying out a Special Event.
- 6. "CITY MANAGER" means the City Manager or designee.
- 7. "CITY CO-SPONSORED EVENT" is defined as an annual event that occurs within the boundaries of National City. The co-sponsoring agency must be a National City non-profit or branch thereof and the event must benefit National City and its residents. Applications must be submitted as a special event application to the Neighborhood Services Department, deadlines are noted annually. The current City co-sponsorship events list (Attachment A) are considered grandfathered and will not need to apply annually for approval.
- 8. "CITY SPONSORED EVENT" is defined as an annual community-wide event that is planned and managed by one or more City departments. The current City sponsored events list (Attachment "B") are considered grandfathered and will not need to apply annually for approval. These events will not require a secondary City Council approval through the TUP or Special Event process. City Staff will process event applications and City Council will be updated of these events annually and or on a quarterly basis.

PURPOSE:

It is the purpose of this policy to provide guidelines for the support of special events, consistent with the least possible disruption to normal City services.

POLICY:

 It is the policy of the City Council that to the extent that economic conditions and the City's resources allow, the City Manager may provide City support for a special event conducted by a non-profit organization. City support would be limited to a waiver of permit processing fees and the event must benefit National City residents. Examples ADOPTED: October 3, 2006

AMENDED: January 17, 2016

include an event where there is insufficient time for Council approval, such as in the event of a catastrophe or an emergency situation. The City Manager shall notify the City Council of any such support on a monthly basis.

- 2. It is the policy of the City Council that to the extent that economic conditions and the City's resources allow, the City manager upon City Council notification, may provide reasonable City support of up to \$1,200 per event day to non-profit special events that benefit National City residents, are held wholly within City limits, and which are listed in Attachment A and are considered to be City co-sponsored annual events.
- 3. It is the policy of the City Council that any new non-profit applicant (not on Attachment A) requesting co-sponsorship must apply to be considered for the City co-sponsored event list which will be reviewed annually by the 802 policy committee. The 802 policy committee will recommend changes to the co-sponsored event list only when required on an annual basis (per Section 7 of Definitions- page 2). As a City co-sponsored event, organizations shall prominently place the City's logo in all advertising materials promoting the event and provide space for the City to set up an information booth, per the City Council's discretion.
- 4. It is the policy of the City Council that any new Special Event or TUP applicant not currently on the approved co-sponsored list and requesting fee waivers, may only be considered to have fees waived up to the maximum level of \$500 per event day. Attachments "A" and "B" are the current list of approved co-sponsored and sponsored events respectively. Any new events considering co-sponsorship must apply through the annual process.
- 5. It is the policy of the City Council that to the extent economic conditions and the City's resource allow, National City will sponsor and provide community-wide annual events which are listed in Attachment B. Event fees that are incurred by City departments will be charged against an account designed for that purpose. The City Manager shall notify the City Council of upcoming events on a quarterly basis.
- 6. It is the policy of the City Council that the City Manager shall charge City costs for any special event of a commercial nature; also, the City Manager shall require organizers of commercial special events to pay the City a negotiated percentage of gross revenues of a flat fee. Such revenues will be deposited into the City's General Fund.
 - Proceeds from a special event of a commercial nature that benefits a local non-profit organization, shall show proof of donation within 10 business days. Such proof shall be submitted to the City's Finance Department (Revenue & Recovery). Failure to provide proof of donation will result in loss of deposit and may jeopardize future use of City facilities.
- 7. The use of El Toyon Park for special events is prohibited.

ADOPTED: October 3, 2006 AMENDED: January 17, 2016

8. The mobile stage shall be used only on City parklands, and/or other public property within the limits of National City. Regular use that is approved annually includes starred events on Attachments "A" and "B". Any events outside this purview and requesting use of the City stage must apply through the special event process. The USER of the stage shall be responsible for any damage to the unit resulting from carelessness or misuse.

RELATED POLICY REFERENCES:

City Council Policy # 704 – Limitation on City Approved Special Events within the City

City Council Policy # 801 - Field and Facility Rules and Regulations

ADOPTED: October 3, 2006

AMENDED: January 17, 2016

ATTACHMENT 'A' NATIONAL CITY CO-SPONSORED EVENTS

Event Title	Organizer	Timing
Sweetwater Kiwanis Carnival	Sweetwater Kiwanis Club	March
Granger Jr. High Cultural Fair*	Granger Jr. High	Spring
Job Fair	N.C. Chamber of Commerce	Spring
July 4th Carnival*	National City Host Lions Club	July
Mabuhay Festival	Mabuhay Festival	June
Auto Heritage Days*	N.C. Chamber of Commerce	August
Relay for Life*	American Cancer Society	August
Salute to Navy	N.C. Chamber of Commerce	October
Sweetwater High Homecoming	Sweetwater High School	Fall
Community Concert Band Series (up to 4 concerts annually/per year)	N.C. Community Concert Band	Quarterly
Spirit of the Holidays	N.C. College Campus Lions	December
Christmas in July Clean-Ups	Christmas in July	Various
Maytime Band Review	Maytime Band Association	October

Note: Co-sponsored events that reoccur on the same date, or weekend, each year will maintain "first rights" to their date if the special event permit application is received within five months of the recurring event date. After the five-month application deadline, other interested parties will be able to apply. Events scheduled on recurring weekends (such as the 1st, 2nd, 3rd, 4th, or 5th weekend of a month) will be defined by the first date of the event is open to the public.

^{*}Indicates use of City Mobile Stage

ADOPTED: October 3, 2006

AMENDED: January 17, 2016

ATTACHMENT 'B' NATIONAL CITY SPONSORED EVENTS

Event Title Organizer Timing

Movies in the Park Community Services Summer

Miss National City Pageant* Community Services July

National Night Out Police, Community Services, FFA August

9/11 Remembrance Ceremony Fire September

State of the City Mayor's Office Fall

Tower of Terror* Fire, Community Services October

Veteran's Day Community Services November

Christmas Tree Lighting Community Services December

Community Services April

National City Public Safety Fair Police, Fire April

^{*}Indicates use of City Mobile Stage

The following page(s) contain the backup material for Agenda Item: Warrant Register #19 for the period of 11/02/16 through 11/08/16 in the amount of \$2,090,394.47. (Finance)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2	017		AGENDA ITEM NO.
ITEM TITLE:			
Warrant Register #19 for the per (Finance)	iod of 11/02/16	6 through 11/08/1	6 in the amount of \$2,090,394.47.
PREPARED BY: K. Apalategui		D	EPARTMENT: Finance
PHONE: 619-336-4572			APPROVED BY:
EXPLANATION:			
Per Government Section Code 3 through 11/08/16. Consistent with Department of F			s issued for the period of 11/02/16
Vendor Geosyntec Consultants Inc	Check/Wire 326099	<u>Amount</u> 214,022.99	Explanation Paradice Creek Emergency Project
Geosyntec Consultants Inc	320099	214,022.99	Paradise Creek Emergency Project
Project Professionals Corp	326116	65,499.26	Plaza Blvd Widening
Public Emp Retirement System	11022016	405,636.66	Service Period 10/11/16-10/24/16
			Ai com
FINANCIAL STATEMENT:		Al	PPROVED: Finance
ACCOUNT NO.		Al	PPROVED: MIS
Warrant total \$2,090,394.47.			
ENVIRONMENTAL REVIEW:			
This is not a project and, therefo	re, not subject	to environmental	review.
	-,,,		
ORDINANCE: INTRODUCTION:	EINAL	ADOPTION:	
	FINAL	ADOPTION.	
STAFF RECOMMENDATION:	0.4.7		
Ratify warrants totaling \$2,090,3	94.47.		
BOARD / COMMISSION RECOMM	IENDATION:		
N/A			
ATTACHMENTS:			4,10
THE THE PARTY OF T			



WARRANT REGISTER #19 11/8/2016

PAYEE ACEDO, I	DESCRIPTION RETIREE HEALTH BENEFITS / NOV 2016	CHK NO	DATE	AMOUNT
ANDERSON, E	RETIREE HEALTH BENEFITS / NOV 2016	326017	11/3/16	160.00
BEARD, P	RETIREE HEALTH BENEFITS / NOV 2016	326018	11/3/16	110.00
BECK, L	RETIREE HEALTH BENEFITS / NOV 2016	326019	11/3/16	70.00
BISHOP, R	RETIREE HEALTH BENEFITS / NOV 2016	326020	11/3/16	140.00
BOEGLER, C	RETIREE HEALTH BENEFITS / NOV 2016	326021	11/3/16	110.00
BOYD JR, P		326022	11/3/16	260.00
CARRILLO, R	RETIREE HEALTH BENEFITS / NOV 2016 RETIREE HEALTH BENEFITS / NOV 2016	326023	11/3/16	145.00
COLE, L		326024	11/3/16	290.00
COMMUNITY ROWING OF SAN DIEGO	RETIREE HEALTH BENEFITS / NOV 2016	326025	11/3/16	165.00
CONDON, D	AQUATIC CENTER OPERATIONS / CSD	326026	11/3/16	9,993.00
CORPUZ, T	RETIREE HEALTH BENEFITS / NOV 2016	326027	11/3/16	280.00
DANESHFAR, Z	RETIREE HEALTH BENEFITS / NOV 2016	326028	11/3/16	140.00
DESROCHERS, P	RETIREE HEALTH BENEFITS / NOV 2016	326029	11/3/16	250.00
	RETIREE HEALTH BENEFITS / NOV 2016	326030	11/3/16	110.00
DI CERCHIO, A	RETIREE HEALTH BENEFITS / NOV 2016	326031	11/3/16	70.00
DILLARD, S	RETIREE HEALTH BENEFITS / NOV 2016	326032	11/3/16	480.00
DREDGE, J	RETIREE HEALTH BENEFITS / NOV 2016	326033	11/3/16	250.00
EISER III, G	RETIREE HEALTH BENEFITS / NOV 2016	326034	11/3/16	250.00
FABINSKI, D	RETIREE HEALTH BENEFITS / NOV 2016	326035	11/3/16	220.00
FIFIELD, K	RETIREE HEALTH BENEFITS / NOV 2016	326036	11/3/16	540.00
GELSKEY, K	RETIREE HEALTH BENEFITS / NOV 2016	326037	11/3/16	115.00
GIBBS JR, R	RETIREE HEALTH BENEFITS / NOV 2016	326038	11/3/16	120.00
GONZALES, M	RETIREE HEALTH BENEFITS / NOV 2016	326039	11/3/16	480.00
HANSON, E	RETIREE HEALTH BENEFITS / NOV 2016	326040	11/3/16	135.00
HARLAN, M	RETIREE HEALTH BENEFITS / NOV 2016	326041	11/3/16	500.00
HAUG, S	RETIREE HEALTH BENEFITS / NOV 2016	326042	11/3/16	120.00
HERNANDEZ, R	RETIREE HEALTH BENEFITS / NOV 2016	326043	11/3/16	400.00
HODGES, B	RETIREE HEALTH BENEFITS / NOV 2016	326044	11/3/16	200.00
HONDO, E	RETIREE HEALTH BENEFITS / NOV 2016	326045	11/3/16	110.00
IBARRA, J	RETIREE HEALTH BENEFITS / NOV 2016	326046	11/3/16	780.00
JAMES, R	RETIREE HEALTH BENEFITS / NOV 2016	326047	11/3/16	140.00
JUNIEL, R	RETIREE HEALTH BENEFITS / NOV 2016	326048	11/3/16	50.00
KIMBLE, R	RETIREE HEALTH BENEFITS / NOV 2016	326049	11/3/16	300.00
LANDA, A	RETIREE HEALTH BENEFITS / NOV 2016	326050	11/3/16	155.00
LIMFUECO, M	RETIREE HEALTH BENEFITS / NOV 2016	326051	11/3/16	160.00
MATIENZO, M	RETIREE HEALTH BENEFITS / NOV 2016	326052	11/3/16	100.00
MC CABE, T	RETIREE HEALTH BENEFITS / NOV 2016	326053	11/3/16	280.00
MEDINA, R	RETIREE HEALTH BENEFITS / NOV 2016	326054	11/3/16	105.00
MINER, D	RETIREE HEALTH BENEFITS / NOV 2016	326055	11/3/16	580.00
MYERS, B	RETIREE HEALTH BENEFITS / NOV 2016	326056	11/3/16	140.00
NOTEWARE, D	RETIREE HEALTH BENEFITS / NOV 2016	326057	11/3/16	120.00
PAUU JR, P	RETIREE HEALTH BENEFITS / NOV 2016	326058	11/3/16	340.00
PEASE JR, D	RETIREE HEALTH BENEFITS / NOV 2016	326059	11/3/16	140.00
PETERS, S	RETIREE HEALTH BENEFITS / NOV 2016	326060	11/3/16	290.00
POST, R	RETIREE HEALTH BENEFITS / NOV 2016	326061	11/3/16	280.00
POZOS CREATIVE COMMUNICATIONS	PHOTOGRAPHY / STATE OF THE CITY ADDRESS	326062	11/3/16	200.00
RAY, S	RETIREE HEALTH BENEFITS / NOV 2016	326063	11/3/16	190.00
ROARK, L	RETIREE HEALTH BENEFITS / NOV 2016	326064	11/3/16	135.00
RUIZ, J	RETIREE HEALTH 86 of 321	326065	11/3/16	310.00



WARRANT REGISTER #19 11/8/2016

DESCRIPTION DETURE HEALTH RENEFITS (NOV. 2046)	CHK NO	DATE	AMOUNT
			340.00
			300.00
			320.00
			135.00
			250.00
			280.00
			480.00
			230.00
			300.00
			2,279.80
			618.00
			3,411.77
			907.73
			38.26
			8,807.50
			1,570.70
			563.45 564.22
			382.13
			984.03
			395.00
			495.45
			3,000.00
			7,810.00
			2,953.53
			259.81
			7,340.69
			5,014.60
			106.35
			31,584.00
			14,516.51
			60.00
SHIPPING SERVICES			30.69
			214,022.99
MOP 65179, BATTERIES / FIRE			138.81
GRANICUS MONTHLY MANAGED SERVICE			1,477.35
SUBSISTENCE-BACKGROUND INVESTIGATOR'S			640.00
	200000		364.94
			174.29
			495.45
TRANSLATION SERVICES - 11/01/16 COUNCIL			280.00
		and a Popular	81.84
			67.17
			966.10
			491.14
PHONE SERVICE / NOVEMBER 2016	326111		78.00
REF MYLAR TREAT BAG OR TRICK / PD	326112	11/8/16	795.20
	DOMESTIC AND ADDRESS OF THE PARTY OF THE PAR		
MOP 45707. TOOLS / FIRE	326113	11/8/16	166.52
	RETIREE HEALTH BENEFITS / NOV 2016 LIGHTING FOR WATER TENDER - FIRE ACPD RENEWAL FEES FOOD / NUTRITION CENTER PHONE SERVICE / OCTOBER 2016 N.C. ALLEY DESIGN PROJECT SUBSISTENCE: DISPATCHER SUPERVISORY / PD SUBSISTENCE: DISPATCHER SUPERVISORY / PD CALIBER BORE SNAKE-COTTON APPLICATORS LEGAL PUBLICATION UPDATE MUNICIPAL SEWER TRANSP. PROJECT CERTIFIED POOL OPERATOR COURSE SUBSISTENCE: 24-HR PERISHABLE SKILLS VIDEO PRODUCTION / STATE OF THE CITY RCS OCTOBER 2016 HEATCRAFT MODEL MOHO25L62CF / PW COX SERVICES / OCTOBER 2016 MONTHLY RECURRING BILLING / POLICE DELL KMM CONSOLES / MIS EVENT PREMIER RESTROOM / CSD STORM WATER SERVICES 2016-2017 FLEET VEHICLE LEASE / ENG IACP REIMB/ PD / ESPIRITU SHIPPING SERVICES PARADISE CREEK EMERGENCY PROJECT MOP 65179. BATTERIES / FIRE GRANICUS MONTHLY MANAGED SERVICE SUBSISTENCE-BACKGROUND INVESTIGATOR'S MOP #45725 - PRINTER TONER CARTRIDGE MOP 45725 - CARTRIDGES / FIRE SUBSISTENCE-BACKGROUND INVESTIGATOR'S MOP #45725 - PRINTER TONER CARTRIDGE MOP 45725 - CARTRIDGES / FIRE SUBSISTENCE: 24 HR PERISHABLE SKILLS / PD TRANSLATION SERVICES - 11/01/16 COUNCIL LEGAL PUBLICATION UPDATE ADV SUB 24CPT DAN NAGLE/PD REIMBURSEMENT /PD POLICE OFFICERS ASSOC NARCOTIC INV. REIMB/ PD N. MATTHEWS PHONE SERVICE / NOVEMBER 2016	RETIREE HEALTH BENEFITS / NOV 2016 RETIREE HEALTH BENEFITS / PD 20609 RETIREE HEALTH BENEFITS / NOV 2016 RETIRE MEATTH / D POLICE OFFICERS ASSOC RETIREE / PD 20610 RETIRE / PD 20610 RET	RETIREE HEALTH BENEFITS / NOV 2016 RETIREE / 11/8/16 RETIRES / FIRE RETIRES / FIRE RETIRE / PRISHABLE SKILLS / PD RETIRES / FIRE RE



WARRANT REGISTER #19 11/8/2016

PAYEE		DESCRIPTION		CHK NO	DATE	<u>AMOUNT</u>
PROFORCE LAW ENFORCEM	IENT	22013/04F TSR X2X26P DATA PORT DOWNLOAD		326115	11/8/16	1,126.05
PROJECT PROFESSIONALS	CORP	PLAZA BLVD WIDENING		326116	11/8/16	65,499.26
RELIANCE STANDARD		VOLUNTARY LIFE INS - NOV 2016		326117	11/8/16	1,558.38
RIVERSIDE COUNTY SHERIF	F DEPT	TUITION INFORMANT CO	TUITION INFORMANT COURSE/MATTHEWS PD		11/8/16	189.00
RIVERSIDE COUNTY SHERIF	F DEPT	TUITION 24 CPT PECK/PI	ם	326119	11/8/16	160.00
SAN DIEGO MIRAMAR COLLE	GE	TUITION POST SUPERVISORY / R. GONZALES		326121	11/8/16	69.00
SASI		FLEXIBLE SPENDING NOV/DEC 2016/JAN 2017		326122	11/8/16	270.00
SEAPORT MEAT COMPANY		MEAT / NUTRITION CENTER		326123	11/8/16	520.17
SHEPHARD, S		SHERMAN BLOCK TRAIN	IING REIMB/SHEPHARD PD	326124	11/8/16	57.43
SMART & FINAL		MOP 45756. WATER / FIR	RE	326125	11/8/16	151.88
SPARKLETTS		WATER / NUTRITION		326126	11/8/16	38.10
STAPLES BUSINESS ADVANT	TAGE	MOP 45704. OFFICE SUP	PLIES / FIRE	326127	11/8/16	575.03
SYSCO SAN DIEGO INC		FOOD / NUTRITION CENT	TER	326128	11/8/16	3,911.54
TELLEZ, J	TELLEZ, J			326129	11/8/16	60.00
THE EPOCH TIMES	THE EPOCH TIMES		NOTICE OF CANDIDATES - CHINESE		11/8/16	120.00
U S BANK		CREDIT CARD EXPENSE	S / FIRE	326131	11/8/16	8,941.37
UNITED PARCEL SERVICE		UPS CHARGES /PD		326132	11/8/16	44.82
US BANK		CREDIT CARD EXPENSE/PD TRAINING		326133	11/8/16	5,248.87
VERGARA, A		CPPA TRAINING REIMBURSEMENT / NSD		326134	11/8/16	375.00
VERIZON WIRELESS		VERIZON OCTOBER 2010	6	326135	11/8/16	14,646.48
VISION INTERNET PROVIDER	RS	DESIGN THEME - PD		326136	11/8/16	2,500.00
WILLY'S ELECTRONIC SUPPI	ILLY'S ELECTRONIC SUPPLY		ECTRONICS	326137	11/8/16	394.78
YBARRA, A		TRAINING HONOR GUAR	RD SCHOOL REIMB/ YBARRA	326138	11/8/16	87.85
					A/P Total	444,168.03
WIRED PAYMENTS						
PUBLIC EMP RETIREMENT S	YSTEM	SERVICE PERIOD 10/11/	16 - 10/24/16	11022016	11/2/16	405,636.66
PAYROLL						
Pay period	Start Date	End Date	Check Date			
23	0/25/2016	11/7/2016	11/23/2016			1,240,589.78
			GRAND TOTAL			\$2,090,394.47

Certification

the artism)	
MARK ROBERTS, FINANCE	LESLIE DEESE, CITY MANAGER
FINANCE	COMMITTEE
RONALD J. MORRIS	ON, MAYOR-CHAIRMAN
	ALEJANDRA SOTELO-SOLIS, MEMB
ALBERT MENDIVIL, VICE-MAYOR	ALEJANDRA SOTELO-SOLIS, WENE
MONA RIOS, MEMBER	JERRY CANO, MEMBER
MONA RIOS, MEMBER I HEREBY CERTIFY THAT THE FOREGOING	JERRY CANO, MEMBER CLAIMS AND DEMANDS WERE APPROVED A ISSUE SAID WARRANTS IN PAYMENT THERE
MONA RIOS, MEMBER I HEREBY CERTIFY THAT THE FOREGOING THE CITY TREASURER IS AUTHORIZED TO	JERRY CANO, MEMBER CLAIMS AND DEMANDS WERE APPROVED A ISSUE SAID WARRANTS IN PAYMENT THERE

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE

The following page(s) contain the backup material for Agenda Item: Warrant Register #20 for the period of 11/09/16 through 11/15/16 in the amount of \$394,824.28. (Finance)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 1	7, 2017		AGENDA ITEM NO.
ITEM TITLE:			
Warrant Register #20 for the (Finance)	period of 11/09/16 thr	ough 11/15/16	in the amount of \$394,824.28.
PREPARED BY: K. Apalateg	uľ	DEF	PARTMENT: Finance
PHONE: 619-336-4572		ADI	PROVED BY: Atto and an
EXPLANATION:		Art	NOVED BY.
Per Government Section Coothrough 11/15/16. Consistent with Department			ssued for the period of 11/09/16 ents above \$50,000.
Vendor	Check/Wire	<u>Amount</u>	Explanation
Innovative Construction	326180	50,697.50	Paradise Creek Rest. Project
Zoll Medical Corp	326222	89,463.40	Monitors and Accessories / Fire
1			
141			
FINANCIAL STATEMENT:		ADD	ROVED: Finance
ACCOUNT NO.			ROVED: MIS
Warrant total \$394,824.28.		74.1	MIO
ENVIRONMENTAL REVIEW: This is not a project and, then	refore, not subject to e	environmental re	eview.
ORDINANCE: INTRODUCTIO	ON: FINAL ADO	PTION:	
STAFF RECOMMENDATION:			
Ratify warrants totaling \$394	,824.28.		
BOARD / COMMISSION RECO	OMMENDATION:		
N/A			
ATTACHMENTS:	_		
Warrant Register #20			



WARRANT REGISTER #20 11/15/2016

PAYEE	DESCRIPTION AND INCOME.	CHK NO	DATE	AMOUNT
BRIAN COX MECHANICAL INC	MAINTENANCE AND INSPECTION SVCS	326140	11/15/16	372.00
HANSEN, D	PD REIMBURSEMENT FOR DISPATCH SUPPLIES	326141	11/15/16	81.97
RODRIGUEZ, M UNITED PARCEL SERVICE	TRAINING REIMB FOR FBINAA/CHIEF RODRIGUEZ	326142	11/15/16	638.16
	UPS SHIPMENT / FINANCE	326143	11/15/16	4.53
ACE UNIFORMS & ACCESSORIES INC	R8A CLASS A HAT WHITE ROUND TOP / FIRE	326144	11/15/16	261.57
ACME SAFETY & SUPPLY CORP	SIGNS FOR TRUCKS / FIRE	326145	11/15/16	274.68
AETNA RESOURCES FOR LIVING	EMPLOYEE ASSISTANCE PROGRAM / NOV	326146	11/15/16	812.66
ALDEMOO	FOOD / NUTRITION CENTER	326147	11/15/16	1,961.16
ALTA LANGUAGE SERVICES INC	EMPLOYEE BILINGUAL TESTING	326148	11/15/16	60.00
ATKINS NORTH AMERICA INC	ALLEY DESIGN SERVICES	326149	11/15/16	20,266.80
BAVENCOFF JR, D	SUBSISTENCE: POST MANAGEMENT COURSE	326150	11/15/16	562.50
CALIXTO, R	REIMB: FIREARMS ARMORER SCHOOL	326151	11/15/16	230.08
CARDOZA, M	REIMB: FIELD TRAINING OFFICER	326152	11/15/16	137.20
CHEN RYAN ASSOCIATES INC	DIVISION STREET PROJECT	326153	11/15/16	13,000.00
CITY OF IMPERIAL BEACH	WQIP SD BAY CONTRIBUTION PROJECT	326154	11/15/16	17,515.00
CITY OF NATIONAL CITY	PROPERTY TAX/MOC LMD1/PLANNING	326155	11/15/16	1,173.69
CLEAN HARBORS	HOUSEHOLD HAZARDOUS WASTE	326156	11/15/16	1,289.79
CLF WAREHOUSE	SEAT FOR WATER TENDER / FIRE	326157	11/15/16	497.77
COUNTY OF SAN DIEGO	MAIL PROCESSING SERVICES	326158	11/15/16	2,313.15
CULLIGAN	WATERSOFTNER FOR DISHWASHER / NUTRITION	326159	11/15/16	219.50
CYNTHIA TITGEN CONSULTING INC	RISK PROFESSIONAL SERVICES / OCTOBER 2016	326160	11/15/16	2,625.00
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326161	11/15/16	12,403.74
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326162	11/15/16	5,324.00
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326163	11/15/16	4.470.49
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326164	11/15/16	3,009.47
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326165	11/15/16	2,081.67
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326166	11/15/16	875.00
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326167	11/15/16	857.50
DALEY & HEFT LLP	LIABILITY CLAIM COSTS	326168	11/15/16	192.50
D-MAX ENGINEERING	PRO. 84 A AVE. PROJECT	326169	11/15/16	18,008.75
DOOLEY ENTERPRISES	FULL META/FRANGIBLE PD	326170	11/15/16	8,802.81
DURON, C	EDUCATION REIMBURSEMENT	326171	11/15/16	500.00
E2 MANAGE TECH INC	2020 HOOVER UST PROJECT	326172	11/15/16	6,953.75
ERGOGENESIS LLC	REPLACEMENT CHAIR-OFFICE SUPPLY	326173	11/15/16	680.77
EXPRESS PIPE AND SUPPLY CO INC	CITY WIDE PLUMBING PARTS & MATERIALS / PW	326174	11/15/16	283.33
FIT TO WORK INC	COMPREHENSIVE ERGONOMIC EVALUATION & REP	326175	11/15/16	465.00
GEOSYNTEC CONSULTANTS INC	PARADISE CREEK PROJECT	326176	11/15/16	2,177.42
GOLDEN WEST COLLEGE	TUITION SWAT KALANKIEWICZ & DURAN	326177	11/15/16	160.00
GONZALES, R	REIMB: POST SUPERVISORY COURSE	326178	11/15/16	80.00
HERNANDEZ, A	TRAINING REIM COPSWEST/HERNANDEZ PD	326179	11/15/16	266.14
INNOVATIVE CONSTRUCTION	PARADISE CREEK REST. PROJECT	326180	11/15/16	50,697.50
INSTITUTE OF TRANSPORTATION	ITE 2017 MEMBERSHIP STEVE M. / ENG	326181	11/15/16	299.28
INTERNATIONAL CODE COUNCIL	DIVIDER TABS FOR CODE BOOKS	326182	11/15/16	94.83
IRON MOUNTAIN	RECORDS MANAGEMENT & DOCUMENT STORAGE	326183	11/15/16	167.21
KONICA MINOLTA	COPIER EQUIPMENT LEASE	326184	11/15/16	12,684.38
LUTH AND TURLEY INC.	LIABILITY CLAIM COSTS	326186	11/15/16	7,659.02
MAINTEX INC	CITY WIDE JANITORIAL SUPPLIES / PW	326187	11/15/16	942.06
MCDOUGAL LOVE ECKIS	LIABILITY CLAIM COSTS	326188	11/15/16	55.50
METRO WASTEWATER JPA	METRO JPA 201	326189	11/15/16	8,961.00
	92 of 321			-,



WARRANT REGISTER #20 11/15/2016

PAYEE	DESCRIPTION	CHK NO	DATE	AMOUNT
MUNICIPAL CODE CORPORATION	MUNICIPAL CODE SUPPLEMENT #46	326190	11/15/16	743.26
OFFICE SOLUTIONS BUSINESS	CHAIR FOR OFFICE / FINANCE	326191	11/15/16	3,477.53
OPPER & VARCO LLP	LEGAL SERVICES/SUCCESSOR AGENCY	326192	11/15/16	1,040.00
PERRY FORD	R & M CITY VEHICLES FOR FY 2017	326193	11/15/16	663.13
PHILLIPS	REIMB: FIELD TRAINING OFFICER UPDATE	326194	11/15/16	82.32
PRO BUILD	MOP#45707. PAINT SUPPLIES / NSD	326195	11/15/16	113.03
PRUDENTIAL OVERALL SUPPLY	MOP#45742. LAUNDRY SVC / NSD	326196	11/15/16	78.24
RANDALL LAMB ASSOCIATES INC	N.C. CORRECTIVE ACTION PROJECT	326197	11/15/16	1,200.00
RELY ENVIRONMENTAL	PUBLIC WORKS YARD PROJECT	326198	11/15/16	1,108.00
SAN DIEGO MIRAMAR COLLEGE	TUITION DRUG INFLUENCE - SABALA/PD	326199	11/15/16	9.20
SAN DIEGO PR	NATIONAL CITY NEWSLETTER	326200	11/15/16	600.00
SAN DIEGO UNION TRIBUNE	LEGAL NOTICES ADVERTISING	326201	11/15/16	5,905.60
SANCHEZ, E	EDUCATION REIMBURSEMENT	326202	11/15/16	103.00
SDG&E	FACILITIES DIVISION GAS & ELECTRIC UTILITIES	326203	11/15/16	35.681.32
SEAPORT MEAT COMPANY	MEAT / NUTRITION CENTER	326204	11/15/16	576.10
SEGAL, M	REIMB: FIELD TRAINING OFFICER UPDATE / PD	326205	11/15/16	82.32
SHERWIN WILLIAMS	MOP#77816. PAINT SUPPLIES / NSD	326206	11/15/16	721.15
SHRED IT USA	PD RECORDS MANDATORY RECORDS PURGE	326207	11/15/16	92.95
SMART & FINAL	MOP 45756/PROMOTIONAL SUPPLIES/HR	326208	11/15/16	100.37
SOUTH BAY MOTORSPORTS	R & M CITY VEHICLES / PW	326209	11/15/16	1,004.05
STAPLES BUSINESS ADVANTAGE	MOP 45704 PD OFFICE SUPPLIES / FINANCE	326210	11/15/16	228.94
SUPERIOR READY MIX	TACK OIL AND COLD MIX / PW	326211	11/15/16	754.92
SWEETWATER AUTHORITY	PARKS DIVISION WATER BILL FY 2017	326212	11/15/16	13.66
SYSCO SAN DIEGO INC	FOOD / NUTRITION CENTER	326213	11/15/16	2,482.65
THE CENTRE FOR ORGANIZATION	SUPERVISORS TRAINING / MAXILOM	326214	11/15/16	399.00
U S BANK	CREDIT CARD EXPENSE / CMO	326215	11/15/16	2,207.41
U S BANK	CREDIT CARD EXPENSES / HR	326216	11/15/16	717.99
U S HEALTHWORKS	PRE-EMPLOYMENT PHYSICALS & DOT EXAM	326217	11/15/16	1,482.00
UNITED ROTARY BRUSH CORP	STREET SWEEPER REPAIRS / PW	326218	11/15/16	1,114.96
WALMART	STORMWATER CALENDAR WINNER GIFT CARDS	326219	11/15/16	500.00
WAXIE SANITARY SUPPLY	MISCELLANEOUS JANITORIAL SUPPLIES / PW	326220	11/15/16	1,686.99
WILSON, R	EDUCATION REIMBURSEMENT	326221	11/15/16	500.00
ZOLL MEDICAL CORP	MONITORS & ACCESSORIES / FIRE	326222	11/15/16	89,463.40
				00,100.10
WIDED DAVISENTE			A/P Total	368,383.82
WIRED PAYMENTS	FUEL FOR ONLY ELECT DOTORED ANGE			200
ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET OCTOBER 2016	516222	11/14/16	24,073.46
EDD PAYOUEX BENEFIT TEQUINOLOGIES	UNEMPLOYMENT INS 07/01/16 - 09/30/16	529879	11/14/16	1,858.00
PAYCHEX BENEFIT TECHNOLOGIES	BENETRAC ESR SVCS BASE FEE NOV 2016	869769	11/14/16	509.00

GRAND TOTAL

\$ 394,824.28

Certification

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HEREBY CERTIFY TO THE ACCURACY OF AVAILABILITY OF FUNDS FOR THE PAYME	7208, 372059 OF THE GOVERNMENT CODE, WE FITHE DEMANDS LISTED ABOVE AND TO THE ENT THEREOF AND FURTHER THAT THE ABOVE
CLAIMS AND DEMANDS HAVE BEEN AUDIT	ED AS REQUIRED BY LAW.
MARK ROBERTS, FINANCE	LESLIE DEESE, CITY MANAGER
FINANCE	COMMITTEE
RONALD J. MORRIS	ON, MAYOR-CHAIRMAN
ALBERT MENDIVIL, VICE-MAYOR	ALEJANDRA SOTELO-SOLIS, MEMBER
MONA RIOS, MEMBER	JERRY CANO, MEMBER
THE CITY TREASURER IS AUTHORIZED TO	CLAIMS AND DEMANDS WERE APPROVED AND ISSUE SAID WARRANTS IN PAYMENT THEREOF
BY THE CITY COUNCIL ON THE 17th OF JANU	
NAYS	
ABSENT	

The following page(s) contain the backup material for Agenda Item: Warrant Register #21 for the period of 11/16/16 through 11/22/16 in the amount of \$1,833,346.26. (Finance)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2	017		AGENDA ITEM NO.	
ITEM TITLE:				
Warrant Register #21 for the per (Finance)	iod of 11/16/16 th	rough 11/22/16	in the amount of \$1,833,346.26.	
PREPARED BY: K. Apalategui		DEF	PARTMENT: Finance	
PHONE: 619-336-4572		APPROVED BY:		
EXPLANATION:				
Per Government Section Code 3 through 11/22/16. Consistent with Department of F				
Consistent with Department of F	mance, iisted bek	ow are all payine	Files above \$50,000.	
Vendor	Check/Wire	<u>Amount</u>	<u>Explanation</u>	
City of San Diego	326250	58,084.00	Dispatch Services / Fire	
STC Traffic	326291	125,749.63	Kimball Park Project	
Public Emp Retirement System	11182016	402,093.71	Service Period 10/25/16-11/07/16	
			Charles Co	
FINANCIAL STATEMENT:		APP	ROVED: Finance	
ACCOUNT NO.	Î	APP	ROVED: MIS	
Warrant total \$1,833,346.26.	J			
ENVIRONMENTAL REVIEW:				
This is not a project and, therefo	re, not subject to	environmental re	eview.	
ORDINANCE: INTRODUCTION:	FINAL AD	OPTION:		
STAFF RECOMMENDATION:				
Ratify warrants totaling \$1,833,3	46.26.			
BOARD / COMMISSION RECOMM	IENDATION:			
N/A	i <u>chomion.</u>			
ATTACHMENTS:				
Warrant Register #21				



WARRANT REGISTER #21 11/22/2016

PAYEE	DESCRIPTION	CHK NO	DATE	AMOUNT
AR POLLUTION CONTROL DISTRICT	CIVIL PENALTY - NOTICE OF VIOLATION / PW	326223	11/21/16	2,000.00
A REASON TO SURVIVE	BIKE RACK PROJECT	326224	11/21/16	676.80
AMAZON	SECURITY GUARD SERVICES / LIBRARY	326225	11/22/16	3,263.60
AMAZON	BOOKS - LIBRARY	326226	11/22/16	2,569.91
BAKER & TAYLOR	BOOKS - LIBRARY	326227	11/22/16	1,973.62
BRODART CO	BOOKS - LIBRARY	326228	11/22/16	1,748.71
CENGAGE LEARNING INC	LARGE PRINT BOOKS - LIBRARY	326229	11/22/16	138.42
CENGAGE LEARNING INC	BOOKS - LIBRARY	326230	11/22/16	21.80
MIDWEST TAPE	DVD'S - LIBRARY	326231	11/22/16	1,987.79
NEW READERS PRESS	MATERIAL FOR TUTORS & LEARNERS / LIBRARY	326232	11/22/16	99.11
STAPLES BUSINESS ADVANTAGE	MOP #45704 - SUPPLIES / LIBRARY	326233	11/22/16	391.95
U S POSTMASTER	POSTAGE FOR OVERDUE NOTICES / LIBRARY	326234	11/22/16	98.00
ACADEMI TRAINING CENTER LLC	FLAT RANGE RENTAL/PD	326235	11/22/16	2,000.00
ADAMSON POLICE PRODUCTS	POLICE PRODUCTS FOR OFFICER/PD	326236	11/22/16	2,485.20
ADVANCED EXERCISE EQUIPMENT	CLSC-COMXX LIF-P CLSC UPRIGHT BIKE / PD	326237	11/22/16	1,469.51
AFLAC	ACCT BDM36 /DECEMBER 2016	326238	11/22/16	642.08
AIR POLLUTION CONTROL DISTRICT	NOTICE OF VIOLATION	326239	11/22/16	50.00
AT&T	AT&T OCTOBER 2016	326240	11/22/16	357.32
AT&T MOBILITY	AT&T WIRELESS OCTOBER 2016	326241	11/22/16	2,268.90
AT&T MOBILITY	AT&T OCTOBER 2016	326242	11/22/16	69.91
BAVENCOFF JR, D	POST MANG. COURSE REIMB/BAVENCOFF PD	326243	11/22/16	197.21
BROADWAY AUTO ELECTRIC	12 VLT 270 ALTERNATOR	326244	11/22/16	1,079.10
BSE ENGINEERING, INC.	POLICE STATION PROJECT	326245	11/22/16	976.25
CDWG	TREND MICRO ANTIVIRUS	326246	11/22/16	7.256.00
CHILDREN'S HOSPITAL	SAFE ROUTES 2S PROJECT	326247	11/22/16	26,295.16
CIRCULATE SAN DIEGO	ACTIVE TRANSPORTATION PROJECT	326248	11/22/16	6,034.96
CITY OF NATIONAL CITY	PETTY CASH REPLENISHMENT SEPT 2016	326249	11/22/16	837.66
CITY OF SAN DIEGO	DISPATCH SERVICES / FIRE	326250	11/22/16	58,084.00
COAST INDUSTRIAL SYSTEMS INC	KIT REPAIR PUMP / PW	326251	11/22/16	622.44
COPWARE INC	INVESTIGATION LIC. COPWARE/PD	326252	11/22/16	2,220.00
COUNTY OF SAN DIEGO	RENEWAL NOTICE FOR MUNICIPAL POOL / PW	326253	11/22/16	235.00
COUNTY OF SAN DIEGO	COPIES OF RECORDED DOCUMENTS / HOUSING	326254	11/22/16	10.00
COUNTY OF SAN DIEGO	SHARE OF PC REVENUE - OCT 2016	326255	11/22/16	10,332.75
COX COMMUNICATIONS	COX INTERNET NOVEMBER 2016	326256	11/22/16	3,855.32
DATEL SYSTEMS INCORPORATED	BARRACUDA ESSENTIALS EMAIL ANTISPAM	326257	11/22/16	11,475.00
EXPERIAN	BACKGROUNDS PRE EMPLOYMENT CHECK/ PD	326258	11/22/16	41.76
FASTSIGNS	ALUMINUM SIGN	326259	11/22/16	62.58
FEDEX	FED EX EXPRESS SERVICES	326260	11/22/16	119.56
GOVCONNECTION INC	DISPATCH MONITORS	326261	11/22/16	927.24
GREEN PRO SOLUTIONS	GRANULAR SHH W ALUMINUM HEAT GENERATOR	326262	11/22/16	389.75
GROSSMAN PSYCHOLOGICAL	PRE EMPLOYMENT PSYCHOLOGICAL EVAL/PD	326263	11/22/16	1,800.00
HERNANDEZ, R	TRAVEL EXP: IAFC CONF. / FIRE	326264	11/22/16	189.82
HONEYWELL INTERNATIONAL INC	INV 5237840544 & 0545 / HVAC MAINTENANCE	326265	11/22/16	1,657.57
INDEPENDENT FORENSIC SERVICES	CHILD ABUSE EXAMS/PD	326266	11/22/16	4,050.00
KANE BALLMER & BERKMAN	PROFESSIONAL SERVICES	326267	11/22/16	247.50
KASEYA	KASEYA ANNUAL MAINTENANCE	326268	11/22/16	3,699.50
KIMLEY HORN AND ASSOC INC	WAYFINDING PROJECT	326269	11/22/16	35,948.27
KNORR SYSTEMS INC	AQUATICS FACILITIES OPERATOR TRAINING	326270	11/22/16	395.00
KTU&A	DOWNTOWN SI PROJECT	326271	11/22/16	3,622.50
	97 of 321	10701	10	-,722.00

\$1,833,346.26



WARRANT REGISTER #21 11/22/2016

PAYEE	or o	DESCRIPTION	NE (D D	CHK NO 326272	DATE	AMOUNT
LANGUAGE LINE SERVICE LOPEZ, J	<i>></i> E3	LANGUAGE LINE SERVIC		326273	11/22/16	39.75
LOPEZ, T		MILEAGE REIMBURSEME INTERPRETATION & TRA		326273	11/22/16	28.84 140.00
		MILEAGE REIMBURSEME		326274	11/22/16 11/22/16	20.52
MUTHUSAMY, K	-D	NC TOURISM MARKETIN			0.00	
NATIONAL CITY CHAMBI				326276	11/22/16	30,861.25
PARRON HALL OFFICE I PLUMBERS DEPOT INC	NIERIORS	KRUG CADENCE MID BA		326277	11/22/16	3,305.38
PRO-TECH INDUSTRIES		TELESCOPING 3 PRONG		326278	11/22/16	655.03
		RUBBERIZED COATING / REFUND / CITATION OVE		326279	11/22/16	266.83
RODRIGUEZ, G				326280	11/22/16	80.00
RODRIGUEZ, M		TRAINING PRACTICE OF		326281	11/22/16	92.00
ROUNDS, R	ND/	FBINA REIMB/ROUNDS P		326282	11/22/16	191.38
SAFEWAY SIGN COMPA			INEATOR 18" YELLOW /PW	326283	11/22/16	474.97
SAN DIEGO MIRAMAR C		TUITION FTO /SEGAL / PI		326284	11/22/16	46.00
SAN DIEGO PET SUPPLY		MOP 45753 K9 SUPPLY/C		326285	11/22/16	431.99
SAN DIEGO SPORTS ME		WELLNESS EXAMS / FIR		326286	11/22/16	11,866.65
SAN DIEGO UNION TRIB	UNE	PUBLIC NOTICING/PLAN		326287	11/22/16	952.80
SEWARD, G		2016 CATO CONF REIMB	/ PD	326288	11/22/16	149.33
SPEEDPRO IMAGING	A	DECALS / PW		326289	11/22/16	233.00
STAPLES BUSINESS AD	VANTAGE	MOP 45704 OFFICE SUP		326290	11/22/16	589.24
STC TRAFFIC INC		KIMBALL PARK PROJEC		326291	11/22/16	125,749.63
SUMMIT SUPPLY		S HOOK TOOL / PW		326292	11/22/16	268.42
SYMBOLARTS, LLC	Caran San	OFFICE SUPPLIES KEY		326293	11/22/16	1,607,50
THE CENTRE FOR ORGA		SUPERVISORS ACADEM		326294	11/22/16	775.00
THE COUNSELING TEAM		MONTHLY EMPLOYEE S		326295	11/22/16	1,281.25
TIERRA WEST ADVISOR	IS INC	PROF SERVICES AGMT/		326296	11/22/16	3,435.83
U S BANK		CREDIT CARD EXPENSE	/CMO	326297	11/22/16	201.53
UNITED RENTALS		CORE DRILL ELECTRIC /	PW	326298	11/22/16	118.80
V & V MANUFACTURING		POLICE BADGE REPAIR	PD	326299	11/22/16	438.97
VCA EMERGENCY ANIM	AL HOSPITAL	VCA EMER ANIMAL HOS	PITAL /PD	326300	11/22/16	2,307.85
VCA MAIN ST ANIMAL H	OSPITAL	VCA ANIMAL HOSPITAL	PD	326301	11/22/16	525.84
VERIZON WIRELESS		VERIZON OCTOBER 201	6	326302	11/22/16	876.23
VISION SERVICE PLAN		VISION SERVICE PLAN (CA) / NOV 2016	326303	11/22/16	553.98
VMWARE INC		VMWARE SOFTWARE R	ENEWAL	326304	11/22/16	3,957.36
WAXIE SANITARY SUPP	LY	JANITORIAL SUPPLIES /	PW	326305	11/22/16	2,113.12
WEST PAYMENT CENTE	R	WEST INFORMATION CH	IARGES/PD	326306	11/22/16	482.96
WESTERN RIM CONSTR	RUCTORS INC	EL TOYON AND KIMBALI	PROJECT	326307	11/22/16	31,735.36
WILLY'S ELECTRONIC S	SUPPLY	MOP VENDOR 00351 ELE	ECTRONICS SUPPLIES / MIS	326308	11/22/16	75.06
WARE DAYS					A/P Total	433,904.18
WIRED PAYMENTS	NE OVOTE:	APRILAR BERIAR 1515-1	40 4410-140	44400045	a a ta e · · · e	
PUBLIC EMP RETIREME	NI SYSTEM	SERVICE PERIOD 10/25/	16 - 11/07/16	11182016	11/18/16	402,093.71
PAYROLL						
Pay period	Start Date	End Date	Check Date			
24	11/8/2016					

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GRAND TOTAL

Certification

NAYS

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW. MARK ROBERTS, FINANCE LESLIE DEESE, CITY MANAGER FINANCE COMMITTEE RONALD J. MORRISON, MAYOR-CHAIRMAN ALBERT MENDIVIL, VICE-MAYOR ALEJANDRA SOTELO-SOLIS, MEMBER MONA RIOS, MEMBER JERRY CANO, MEMBER I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 17th OF JANUARY, 2017.

ABSENT

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Fire Code & the National Fire Protection Association Standards. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Fire Code & the National Fire Protection Association Standards. In addition to all Appendices related to these codes.

PREPARED BY: Robert Hernandez / Fire Marshal

DEPARTMENT: Fire

PHONE: 336-4552

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Fire Code. A copy of the 2016 California Fire Code is on file at the Fire Department.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT: ACCOUNT NO. N/A	APPROVED:	Finance MIS
ENVIRONMENTAL REVIEW:		
ORDINANCE: INTRODUCTION: FINAL	ADOPTION: X	
STAFF RECOMMENDATION: Hold the Public Hearing		
BOARD / COMMISSION RECOMMENDATION:		
ATTACHMENTS: Explanation		

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CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

An Ordinance of the City Council of the City of National City adopting the 2016 California Fire Code & the National Fire Protection Association Standards. In addition to all Appendices related to these codes.

PREPARED BY: Robert Hernandez / Fire Marshal

DEPARTMENT: Fire

PHONE: 336-4552

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FINANCIAL STATEMENT:	APPROVED:	Finance
ACCOUNT NO. N/A	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
N/A		
ORDINANCE: INTRODUCTION: FI	NAL ADOPTION: X	
STAFF RECOMMENDATION:		
Adoption		
BOARD / COMMISSION RECOMMENDATION	DN:	
ATTACHMENTS:		
Explanation		
Explanation		

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Fire Code, 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Fire Department recommends adoption of the 2016 California Fire Code with the following change to the National City Municipal Code, Chapter 15.28, Section 15.28.140 pertaining to the City Council's Authority under Title 15.

15.28.140 Section 108, "Board of Appeals", Section 108.1, "Board of appeals established" — Amended. In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems, and are not employees of the jurisdiction. The fire code official shall be an ex-officio member of the board, but shall not have a vote on any matter before the board. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Authority Having Jurisdiction. Decisions of the board may be appealable to the City Council by the appellant or by the Authority Having Jurisdiction within thirty (30) days of the decision of the board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The appellant shall be given at least ten (10) days' notice of the time and place of the hearing on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Building Code, in addition to all Appendices related to these codes. In addition, amending Chapter 15.08.075 of the National City Municipal Code p

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Building Code, in addition to all Appendices related to these codes. In addition, amending Chapter 15.08.075 of the National City Municipal Code pertaining to the City Council's Authority under Title 15.

PREPARED BY: Luis Sainz/Building Official

PHONE: 336-4214

DEPARTMENT: Building

APPROVED BY

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Building Code. A copy of the 2016 California Building Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT: ACCOUNT NO. N/A	APPROVED:	Finance
ENVIRONMENTAL REVIEW:		
ORDINANCE: INTRODUCTION: FIN	AL ADOPTION: X	
STAFF RECOMMENDATION: Hold the Public Hearing		
BOARD / COMMISSION RECOMMENDATION	<u>l:</u>	
ATTACHMENTS: Explanation		

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CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE:	January 17, 2017	AGENDA ITEM NO

ITEM TITLE:

An Ordinance of the City Council of the City of National City adopting the 2016 California Building Code, in addition to all Appendices related to these codes. In addition, amending Chapter 15.08.075 of the National City Municipal Code pertaining to the City Council's Authority under Title 15.

PREPARED BY: Luis Sainz/Building Official

PHONE: |336-4214

DEPARTMENT: Building

APPROVED BY:

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Building Code. A copy of the 2016 California Building Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT:	APPROVED;	Finance
ACCOUNT NO. N/A	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
ORDINANCE: INTRODUCTION:	FINAL ADOPTION: X	
STAFF RECOMMENDATION:		
Adoption		
BOARD / COMMISSION RECOMMEND	ATION:	
ATTACUMENTS.		***
ATTACHMENTS:		
Explanation		

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Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Electrical Code & the 2014 National Electrical Code. In addition to all Appendices related to these codes. (Fire/Building)

MEETING DATE: January 17, 2017

AGENDA ITEM NO.

ITEM TITLE:

Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Electrical Code & the 2014 National Electrical Code. In addition to all Appendices related to these codes.

PREPARED BY: Luis Sainz/Building Official

DEPARTMENT: Building

PHONE: 336-4214

APPROVED BY:

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Electrical Code & the 2014 National Electrical Code. A copy of the 2016 California Electrical Code & the 2014 National Electrical Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATE	<u>//ENT</u> :	APPROVED:	Finance
ACCOUNT NO. N/A		APPROVED:	MIS
ENVIRONMENTAL I	REVIEW:		
N/A			
ORDINANCE: INTE	RODUCTION: FINAL	ADOPTION: 💢	
STAFF RECOMMEN	IDATION:	100	
Hold the Public Hear	ing		
BOARD / COMMISS	ION RECOMMENDATION:		
N/A	ION RECOMMENDATION.		
ATTACHMENTS:			
Explanation			

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MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

An Ordinance of the City Council of the City of National City adopting the 2016 California Electrical Code & the 2014 National Electrical Code. In addition to all Appendices related to these codes.

PREPARED BY: Luis Sainz/Building Official

PHONE: 336-4214

DEPARTMENT: Building

APPROVED BY:

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Electrical Code & the 2014 National Electrical Code. A copy of the 2016 California Electrical Code & the 2014 National Electrical Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT:	APPROVED:	Finance
ACCOUNT NO. N/A	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
ORDINANCE: INTRODUCTION: FINA	AL ADOPTION: 🔀	
STAFF RECOMMENDATION:		
Adoption		
BOARD / COMMISSION RECOMMENDATION	<u>t</u>	
N/A		
ATTACHMENTS:		
Explanation		

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Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Energy Code. In addition to all Appendices related to these codes. (Fire/Building)

MEETING DATE: January 17, 2017	AC	SENDA ITEM NO.
ITEM TITLE:		
Public Hearing - An Ordinance of the City Council California Energy Code. In addition to all Appendic	of the City of National City adopti ces related to these codes.	ng the 2016
PREPARED BY: Luis Sainz/Building Official	DEPARTMENT: Buildi	ng \
PHONE: 336-4214	APPROVED BY:	D X
EXPLANATION:		
This report is intended to provide the Mayor and C changes to the 2016 California Energy Code. A copy of Official's office.	ity Council with a brief over-view of the 2016 California Energy Code i	of significant technic is on file in the Buildir
State law requires that the City of National City adopt	the same model codes as the State	e of California and lin
Specific findings regarding local technical amendment Department of Housing and Community Developmer administrative provisions of the codes. In order to sir	local topographical, geographical, s must be made by the local jurisdi- nt. State law does not restrict local	or climatic condition ction and filed with the all amendments to the
technical amendments to those necessitated due to Specific findings regarding local technical amendment Department of Housing and Community Developmer administrative provisions of the codes. In order to sir that the code be adopted with minimal revisions.	local topographical, geographical, is must be made by the local jurisdint. State law does not restrict local price in the local jurisdint. State law does not restrict local price in the law does not restrict the local price in the l	or climatic condition ction and filed with that al amendments to the staff is recommending
Specific findings regarding local technical amendment Department of Housing and Community Developmer administrative provisions of the codes. In order to sire that the code be adopted with minimal revisions.	local topographical, geographical, s must be made by the local jurisdi- nt. State law does not restrict local	or climatic condition ction and filed with the all amendments to the
Specific findings regarding local technical amendment Department of Housing and Community Developmer administrative provisions of the codes. In order to sir	local topographical, geographical, is must be made by the local jurisdint. State law does not restrict local priction in National City, APPROVED:	or climatic condition ction and filed with the ction and filed with the ction and amendments to the staff is recommending the commending the commending the ction and ction and ction are considered.
Specific findings regarding local technical amendment Department of Housing and Community Developmer administrative provisions of the codes. In order to sire that the code be adopted with minimal revisions. FINANCIAL STATEMENT: ACCOUNT NO. N/A ENVIRONMENTAL REVIEW: N/A	local topographical, geographical, is must be made by the local jurisdint. State law does not restrict local public construction in National City, APPROVED: APPROVED:	or climatic condition ction and filed with the ction and filed with the ction and amendments to the staff is recommending the commending the commending the ction and ction and ction are considered.
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Explanation

MEETING DATE: AGENDA ITEM NO. January 17, 2017 ITEM TITLE: An Ordinance of the City Council of the City of National City adopting the 2016 California Energy Code. In addition to all Appendices related to these codes. PREPARED BY: Luis Sainz/Building Official **DEPARTMENT:** Building PHONE: 336-4214 APPROVED BY: **EXPLANATION:** This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Energy Code. A copy of the 2016 California Energy Code is on file in the Building Official's office. State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions. FINANCIAL STATEMENT: APPROVED: **Finance** ACCOUNT NO. N/A APPROVED: MIS **ENVIRONMENTAL REVIEW:** N/A

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FINAL ADOPTION:

X

ORDINANCE: INTRODUCTION:

BOARD / COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION:

Adoption

ATTACHMENTS:

Explanation

N/A

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing – Adopting Appendix J of the 2016 California Building Code, and amending Chapter 15.70 (Grading) of the National City Municipal Code. (Engineering/Public Works)

EETING DATE: January 17, 2017	AG	ENDA ITEM NO.
TEM TITLE:		
Public Hearing – Adopting Appendix J of the 2016 Call 5.70 (Grading) of the National City Municipal Code.	fornia Building Code, and am	ending Chapter
REPARED BY: Jose Lopez, Junior Engineer - Civil	DEPARTMENT: Engine	eering/Public Works
HONE: 336-4312	APPROVED BY:	
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XPLANATION:	Juga 1. 4	trajento G
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epartment of Housing and Community Development. Idministrative provisions of the codes. In order to simplificat the code be adopted with minimal revisions. Itaff conducted a review of Appendix J of the 2016 Carading of the National City Municipal Code and no sign	State law does not restrict locally construction in National City, lifornia Building Standards Codificant changes were identified.	al amendments to staff is recommend le and Chapter 15. The changes incl
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None

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Green Code. In addition to all Appendices related to these codes. (Fire/Building)

MEETING DATE: AGENDA ITEM NO. January 17, 2017 ITEM TITLE: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Green Code. In addition to all Appendices related to these codes. PREPARED BY: Luis Sainz/Building Official **DEPARTMENT:** Building APPROVED BY: PHONE: 336-4214 **EXPLANATION:** This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Green Code. A copy of the 2016 California Green Code is on file in the Building Official's office. State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions. FINANCIAL STATEMENT: APPROVED: **Finance** ACCOUNT NO. N/A APPROVED: MIS **ENVIRONMENTAL REVIEW:** N/A

ORDINANCE: INTRODUCTION:

BOARD / COMMISSION RECOMMENDATION:

STAFF RECOMMENDATION:

Hold the Public Hearing

Explanation

ATTACHMENTS:

N/A

FINAL ADOPTION: X

Called a Called and a called a	AGE	NDA ITEM NO.
ITEM TITLE:		
An Ordinance of the City Council of the City of Nation in addition to all Appendices related to these codes.	al City adopting the 2016 Califo	rnia Green Code.
PREPARED BY: Luis Sainz/Building Official	DEPARTMENT: Building	9 , 1
PHONE: 336-4214	APPROVED EVE	MY
XPLANATION:		
Fhis report is intended to provide the Mayor and City changes to the 2016 California Green Code. A copy of to Official's office.	Council with a brief over-view of ne 2016 California Green Code is	significant technica on file in the Buildin
Specific findings regarding local technical amendments n Department of Housing and Community Development. administrative provisions of the codes. In order to simple that the code be adopted with minimal revisions.	State law does not restrict local	amendments to th
INANCIAL STATEMENT:	APPROVED:	Finance
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ACCOUNT NO. N/A ENVIRONMENTAL REVIEW:		
ENVIRONMENTAL REVIEW:	APPROVED:	
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FINANCIAL STATEMENT: ACCOUNT NO. N/A ENVIRONMENTAL REVIEW: N/A ORDINANCE: INTRODUCTION: FINAL ADOPT STAFF RECOMMENDATION: Adoption	APPROVED:	

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ATTACHMENTS:

Explanation

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

<u>15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1</u> "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Mechanical Code. In addition to all Appendices related to these codes. (Fire/Building)

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Mechanical Code. In addition to all Appendices related to these codes.

PHONE: |336-4214

PREPARED BY: Luis Sainz/Building Official

DEPARTMENT: Building

APPROVED BY:

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Mechanical Code. A copy of the 2016 California Mechanical Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT:	APPROVED:	Finance
ACCOUNT NO. N/A	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
ORDINANCE: INTRODUCTION: FIN	AL ADOPTION: 🔀	
STAFF RECOMMENDATION:		
Hold the Public Hearing		
BOARD / COMMISSION RECOMMENDATION	l:	
N/A	-	
ATTACHMENTS:		
Explanation		

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MEETING DATE: January 17, 2017

AGENDA ITEM NO.

ITEM TITLE:

An Ordinance of the City Council of the City of National City adopting the 2016 California Mechanical Code. In addition to all Appendices related to these codes.

PREPARED BY: Luis Sainz/Building Official

PHONE: 336-4214

DEPARTMENT: Building

APPROVED BY:

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Mechanical Code. A copy of the 2016 California Mechanical Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT: ACCOUNT NO. N/A	APPROVED:	Finance
ENVIRONMENTAL REVIEW:		
ORDINANCE: INTRODUCTION: FINAL AI	DOPTION: 🔀	
STAFF RECOMMENDATION:		
Adoption		
BOARD / COMMISSION RECOMMENDATION:		
N/A		
ATTACHMENTS:		
Explanation		

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Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Plumbing Code. In addition to all Appendices related to these codes. (Fire/Building)

IEETING DATE: January 17, 2017	AGEN	NDA ITEM NO.
ITEM TITLE:		
Public Hearing - An Ordinance of the City Cour California Plumbing Code. In addition to all App	cil of the City of National City adopting endices related to these codes.	the 2016
PREPARED BY: Luis Sainz/Building Official	DEPARTMENT: Building	1 1
PHONE: 336-4214	APPROVED BY:	
EXPLANATION:		5
This report is intended to provide the Mayor and changes to the 2016 California Plumbing Code. A Building Official's office.	City Council with a brief over-view of s copy of the 2016 California Plumbing Co	significant techrode is on file in
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Explanation

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

An Ordinance of the City Council of the City of National City adopting the 2016 California Plumbing Code. In addition to all Appendices related to these codes.

PREPARED BY: Luis Sainz/Building Official

PHONE: 336-4214

DEPARTMENT: Building

APPROVED BY

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Plumbing Code. A copy of the 2016 California Plumbing Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT:	APPROVED:	Finance
ACCOUNT NO. N/A	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
[N/A]		
ORDINANCE: INTRODUCTION: FINAL	ADOPTION: 💢	
STAFF RECOMMENDATION:		
Adoption		
BOARD / COMMISSION RECOMMENDATION:		
N/A		
1		
ATTACHMENTS:		
Explanation		

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Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing - An Ordinance of the City Council of the City of National City adopting the 2016 California Residential Code. In addition to all Appendices related to these codes. (Fire/Building)

MEETING DATE: January 17, 2017	AG	ENDA ITEM NO.
ITEM TITLE:		
Public Hearing - An Ordinance of the City Council on California Residential Code. In addition to all Apper		ng the 2016
PREPARED BY: Luis Sainz/Building Official	DEPARTMENT: Buildin	ng
PHONE: 336-4214	APPROVED BY:	
EXPLANATION:	ALTONOMIC STATE OF THE STATE OF	
This report is intended to provide the Mayor and Cit changes to the 2016 California Residential Code. A co Building Official's office.	Council with a brief over-view or the 2016 California Residentia	of significant technic al Code is on file in th
State law requires that the City of National City adopt t	ne same model codes as the State	of California and li-
technical amendments to those necessitated due to I	ocal topographical, geographical,	or climatic condition
Specific findings regarding local technical amendments	would be made by the level to the	At
opening in an ignormal distriction	must be made by the local jurisdic	ction and filed with the
Department of Housing and Community Development	State law does not restrict local	al amendments to the
Department of Housing and Community Development administrative provisions of the codes. In order to sim	State law does not restrict local	al amendments to the
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ATTACHMENTS:

Explanation

ITEM TITLE: An Ordinance of the City Council of the City of National City Code. In addition to all Appendices related to these codes.	
An Ordinance of the City Council of the City of National City Code. In addition to all Appendices related to these codes.	
	adopting the 2016 California Residential
PREPARED BY: Luis Sainz/Building Official	DEPARTMENT: Building
PHONE: 336-4214	APPROVED BY:
EXPLANATION:	
This report is intended to provide the Mayor and City Counce changes to the 2016 California Residential Code. A copy of the Building Official's office.	016 California Residential Code is on file in
technical amendments to those necessitated due to local topo Specific findings regarding local technical amendments must be	graphical, geographical, or climatic condition made by the local jurisdiction and filed with
technical amendments to those necessitated due to local topolish Specific findings regarding local technical amendments must be Department of Housing and Community Development. State administrative provisions of the codes. In order to simplify con-	graphical, geographical, or climatic condition made by the local jurisdiction and filed with sw does not restrict local amendments to
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N/A

ATTACHMENTS:

Explanation

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" — Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Public Hearing – Conditional Use Permit the expansion of a gas station convenience store located at 1803 Highland Avenue. (Applicant: Michael Rafo) (Case File 2016-17 CUP) (Planning)

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

Public Hearing – Conditional Use Permit the expansion of a gas station convenience store located at 1803 Highland Avenue. (Applicant: Michael Rafo) (Case File 2016-17 CUP)

PREPARED BY: Martin Reeder, AICP

PHONE: 619-336-4313

DEPARTMENT: Planning.

APPROVED BY: 5

EXPLANATION:

The applicant has applied for a Conditional Use Permit (CUP) to expand an existing gas station convenience store. There are four existing structures including the convenience store, a three-bay repair shop, two fuel pump islands and an automatic car wash. The project proposes to expand into one of the repair stalls (364 square feet) and convert a roofed area to part of the store (182 square feet) on the south-facing side of the building. The total size of the convenience store would be 1,103 square feet. The CUP was approved by Planning Commission on November 7, 2016, by a unanimous vote.

City Council considered a Notice of Decision for this item at their meeting of December 6, 2016. Council held the item over for a public hearing in order to discuss the item further.

The attached background report describes the proposal in detail.

FINANCIAL STATEMENT:	APPROVED:
ACCOUNT NO	ADDDOVED:

ENVIRONMENTAL REVIEW:

Categorically Exempt pursuant to Class 1 Section 15301 (Existing Facilities)

ORDINANCE: INTRODUCTION: | FINAL ADOPTION:

STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit

BOARD / COMMISSION RECOMMENDATION:

The Planning Commission approved the Conditional Use Permit. Ayes: Baca, Bush, DeLaPaz, Flores, Garcia, Sendt, Yamane

ATTACHMENTS:

- 1. Background Report
- 2. Recommended Findings
- 3. Recommended Conditions of Approval
- Overhead

- 5. Reduced Plans
- Planning Commission staff report
- 7. Planning Commission Resolution 2016-13

Finance MIS

8. Public Hearing Notice

BACKGROUND REPORT

Overview

The property owner has applied for a Conditional Use Permit (CUP) to expand an existing convenience store that is accessory to a gas station. A previous CUP (2008-25 CUP) was approved for beer and wine sales and expansion of the store in 2008; however, only the alcohol sales portion of the CUP was exercised. The property has a Type 20 (Off-Sale Beer and Wine) license from the California Department of Alcoholic Beverage Control (ABC). The convenience store is currently 540 square feet in size. The adjacent repair shop is 1,080 square feet in size and includes three service stails with roll-up doors. The convenience store expansion would include additional square footage adjacent to the south side of the building and would convert one of the three service stalls. This expansion will add an additional 530 square feet to the existing convenience store.

Site Characteristics

The project site is a fully developed lot on the corner of Highland Avenue and East 18th Street. There are four detached structures located on the property – the main building, which houses the convenience store and repair shop, an automatic car wash, and two canopies which cover the fuel pump islands. Access to the property is provided via four driveways, two on Highland Avenue and two on East 18th Street. The overall property is 23,958 square feet in size and is located in the Major Mixed-Use Corridor (MXC-2) zone.

Proposed Use

The applicant is proposing to expand the existing convenience store into one of the repair stalls (364 square feet) and to convert a roofed area to part of the store (182 square feet) on the south-facing side of the building. The resultant size of the convenience store would be 1,103 square feet. There is no proposed work for the existing fuel pump islands or the car wash.

The proposed expansion into the repair shop will provide increased display areas for products sold. Currently, beer and wine is located in coolers along a six-foot wall in the back of the convenience store. The project proposes to relocate the coolers to the north wall, which is further from the entrance and would add additional coolers. The total length of wall that would have coolers would be increased to 28 feet, approximately four times as many coolers. The applicant has stated that all of these coolers will display beer and wine.

Analysis

The proposal is consistent with the General Plan in that it meets the intent of the following two General Plan Policies:

Policy LU-2.6 supports development and redevelopment that creates jobs for all income levels. Both the proposed commercial area and construction would create additional job opportunities in the City.

Policy LU-2.9 encourages the designation of land for commercial, office, and service uses sufficient to meet future City needs. The expanded convenience store would provide a commercial service that is in demand by the public and will help support the existing gas station.

Land Use Code

The MXC-2 zone permits gasoline service stations with convenience stores subject to a CUP. The existing gas station lacks a CUP, as it was developed prior to the City's CUP requirement for gasoline service stations. Chapter 18.30.190 of the Land Use Code (Service stations and convenience stores with gasoline pumps) requires a CUP for greater than 216 cubic feet of non-automotive product sold at a gas station. Although a CUP for expansion of the store was approved in 2008, it was only partially exercised (alcohol sales only) and that part expired. Another CUP was approved in 1994 for the automatic car wash.

<u>Mailing</u> – All property owners <u>and</u> occupants within a distance of 300 feet are required to be notified of a public hearing for CUP applications, as was done in this case. 110 notices were mailed for this public hearing, including 46 property owners and 64 occupants.

<u>Parking</u> – With the 530 square-foot addition, the convenience store would be 1,103 square feet in size and the repair shop would be 700 square feet in size. Parking for uses is as follows:

- Auto Service 1 space per 800 square feet (1)
- Convenience Store 1 space per 250 square feet (5)

The lot currently has eight standard parking spaces and one handicapped-accessible space. There is no specific parking requirement for a gas station; however, most commercial uses require one space for each 250 square feet. In this case, that would be approximately six spaces, which would be provided.

Required findings

The Municipal Code contains required findings for Conditional Use Permits. There are six required findings:

 The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed Use Corridor zone pursuant to a Conditional Use Permit, and the proposed expansion of the convenience store meets the required guidelines in the Land Use Code for service stations and convenience stores with gasoline pumps, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

General Plan Policy LU-2.9 designates land for commercial, office, and service uses sufficient to meet future city needs. The proposed convenience store expansion accommodates the mixed used location by allowing residents to meet their needs without traveling long distances and help increase job opportunities. Policy LU-2.6 supports development and redevelopment that creates jobs for all income levels. Both the proposed commercial area and construction would create additional job opportunities in the City. There are no specific plans in the area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

The convenience store is currently located on the property and was previously approved for the sale of alcohol. The expansion of the store will contribute to the viability of an existing older business along the Highland Avenue mixed use corridor.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The property is already fully developed, including the convenience store. The proposal to add additional square footage to the store is consistent with the existing use and is suitable for the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located. The proposed modification to expand the convenience store is consistent with the previous approved use and is similar in nature to surrounding area and uses (retail and service commercial).

That the proposed project has been reviewed in compliance with the California Environmental Quality Act.

The proposed project has been reviewed in compliance with the California Environmental Quality Act. Staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The Class 1 exemption includes additions to existing structures that will not result in an increase of more than 50 percent of the floor area of the structure before the addition.

Department and Agency comments

<u>Alcohol Sales Concentration/Location</u> – Per ABC, there are currently seven off-sale licenses authorized for Census Tract (116.01) associated with six alcohol outlets - Red Bird Market has two licenses that are reflected in the report, one active and one that was surrendered. However, it should be noted that no new licenses are being added in this case. The off-sale alcohol outlets in the census tract are:

Name	Address	License Type*	CUP
Highland Arco	1803 Highland Ave.	20	Υ
National City Market	220-240 E 18 th St.	20	_
Highland Arco	2336 Highland Ave.	20	-
Red Bird Market	2035 Highland Ave.	-21	-
Hi-Bev Liquor	2111 Highland Ave.	21	-
Keg N Bottle	2335 Highland Ave.	21	-

^{*} Type 20 – Off-Sale Beer and Wine Type 21 - Off-Sale General

With the exception of Highland Arco, all of these businesses are considered legal non-conforming — they have no Conditional Use Permit. This means that these establishments are not subject to the same strict conditions as a newer business with an approved CUP (e.g., limits on the sale of 22, 32 or 40 oz. malt beverages, single bottles, single wine coolers, no wine greater than 15% alcohol content). The existing

convenience store is subject to the most recent Council Policy standards for off-sale alcohol CUP's, and would continue to be subject to said conditions after expansion.

Census tract 116.01 includes the area between East 18th Street and East 24th Street, and between National City Blvd. and L Avenue (72 square blocks). The attached census tract map shows the location of the subject tract. Per State Alcoholic Beverage Control (ABC) there are currently seven off-sale licenses in this census tract (116.01) where a maximum of three are recommended. Therefore, this census tract is considered by ABC to be over-saturated with regard to alcohol sales outlets. Although the census tract is over-saturated, the convenience store already holds an ABC license and was previously approved for alcohol sales with a CUP. The proposed expansion of the convenience store will not create any additional impacts with regard to alcohol sales than what already exists.

Police Department

Crime statistics provided by the Police Department (PD) indicate that the reporting area (Beat 23) had a September 2010 to April 2013 crime rate of 391.9%, above the 120% considered to be a high crime. Crimes are categorized as either Part I or Part II crimes. Part I crimes are serious crimes such as homicide, robbery, assault, burglary, vehicle theft, etc. Part II crimes are less serious in nature and less commonly reported. Part II crimes include simple assault, embezzlement, narcotics, and weapons charges (among others). Alcohol is typically just referenced as a contributing factor to a particular crime (robbery, assault, etc.); therefore, alcohol-specific crimes are harder to monitor. However, PD also provided a Prior Minor Criminal History report, which includes four arrests, one of which was an alcohol-related occurrence. The Alcohol Beverage Control Risk Assessment provided by PD allocated a total of 14 points, which would be considered a Medium Risk. Impacts with regards to additional ABC License issuance are not foreseen.

Building Division

Comments were provided by the Building Division require compliance with the 2013 California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes (included as condition no. 7).

Institute for Public Strategies (IPS)

The Institute for Public Strategies provided comments on the proposed CUP application. The convenience store is located in a Youth Sensitive Area, within one mile of two public schools - John A. Otis Elementary School located at 621 East 18th Street, and National City Middle School located at 1701 D Avenue. The IPS recommend that if the CUP is approved that owners, management, and staff be required to attend the

Responsible Beverage Sales and Service training (covered under condition no. 12). Comments are attached for your review.

Conditions of Approval

The Conditions of Approval from the previous Conditional Use Permit (CUP-2008-25) would still apply to the property, unless otherwise modified. Standard Conditions of Approval have been included in the staff report. Additionally, conditions have been added reflecting Building Division, Planning Department, and Fire Departments comments and requirements.

Staff Recommendation

Staff is recommending approval of this CUP request. Staff is of the opinion that the expansion of the convenience store is compatible with the existing and future land uses and would have minimal impact on the site.

Planning Commission Action

Planning Commission conducted a public hearing on November 7, 2016. The Commission asked questions related to the previous approved CUP and conditions of approval. The Planning Commission voted to approve the Conditional Use Permit.

Summary

The proposed use is consistent with the General Plan because gasoline stations and accessory convenience stores are a conditionally-allowed use in the MXC-2 zone. The existing gas station lacks a CUP, as it was developed prior to the City's CUP requirement for gasoline service stations. In addition, modification and expansion of the existing convenience store located at the gas station requires a CUP. A CUP was previously approved for the off-site sale of alcohol (CUP 2008-25), as well as a CUP for the automatic car wash (CUP 1994-2). The proposed expansion would add additional square footage to the existing convenience store and is consistent with the existing use.

OPTIONS

The options available to the City Council are as follows:

- Approve the item subject to the attached recommended findings and conditions of approval; or
- 2. Deny the item subject to findings to be made by the City Council; or
- 3. Continue the item in order to request additional information.

RECOMMENDED FINDINGS FOR APPROVAL

2016-17 CUP - 1803 Highland Avenue

- 1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed Use Corridor zone pursuant to a Conditional Use Permit, and the proposed expansion meets the required guidelines in the Land Use Code for service stations and convenience stores.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, because General Plan Policy LU-2.6 supports development and redevelopment that creates jobs for all income levels and General Plan Policy LU-2.9 encourages the designation of land for commercial, office, and service uses sufficient to meet future City needs. The expanded convenience store will help support the existing gas station and potentially create addition job opportunities. In addition, the proposed facility is a conditionally-permitted use in Major Mixed Use Corridor zone.
- 3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the convenience store is currently located on the property and the expansion of the store would have minimal impact on the site.
- 4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is already fully developed, including the convenience store. The proposal to expand the store is consistent to the existing use and zone, and is suitable for the property.
- 5. That granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed expansion is consistent with the previously approved use and is similar in nature to surrounding area uses.
- 6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

RECOMMENDED CONDITIONS OF APPROVAL

2016-17 CUP - 1803 Highland Avenue

General

- This Conditional Use Permit authorizes the expansion of an existing convenience store located at 1803 Highland Avenue. Unless specifically modified by this resolution or subsequent Codes, all previous Conditions of Approval as stated in City Council Resolution No. 2008-251 are still in effect. Plans submitted for permits associated with this project shall conform with Exhibit A, case file no. 2016-17 CUP, dated 7/11/2016.
- 2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
- 3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
- 5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
- 6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of Conditions of Approval.

Building

- Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes. The City currently utilizes the 2013 editions.
- 8. Call 800-227-2600 (Underground Service Alert) for mark out prior to any digging activities.

Fire

- 9. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
- 10. All required signage shall be designed and installed to the Fire Department's specifications.
- 11. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

- 12. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
- 13. The sale of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 12:00 a.m.





2016-17 CUP - 1803 Highland Ave. - Overhead

ADDITION FOR

EMPIBIT: A

CASE FILE NO.: 2016-17 CUP

DATÉ: 7/11/16

CONTRACTOR: PROJECT INFO:

PROJECT INFO:

1803 HIGHLAND BLVD. NATIONAL CITY, GA 91350

MICHAEL RAFO 1803 HIGHLAND BLVD. NATIONAL CITY, GA DESIGNER:

JON HURLEY BUILDING DESIGN 14583 CHERRY ST BRIGHTON, CO 80602

PROJECT INFO:

PROPOSED ADDITION TO EXISTING CONVENIENCE STORE AT EXISTING GAS STATION. REDUCE EXISTING 3-BAY AUTO SERVICE SHOP TO 2-BAYS AND ENCLOSE 1-BAY FOR ADDITION TO EXISTING STORE. ADD WERE EXTENDED WALL AT SOUTH SIDE OF BUILDING COVERED WALKNAYA AND ADD NEW AREA TO EXISTING STORE AREA. EXISTING BUILDING PROFED AREA 1,8:6 SO, FT.

PROPOSED STORE ADDITION INTO SHOP AREA 38:5 C, FT.

PROPOSED STORE ADDITION INTO SHOP AREA 38:5 C, FT.

PROPOSED STORE ADDITION INTO SASTING COVERED WALKNAY 182.

EXISTING STORE AREA 540 SO, FT.

TOTAL STORE AERA A-TER ADDITIONS 1,103 SQ, FT.

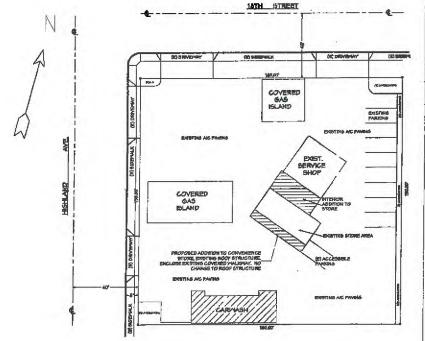
LOTS ,1,2,8,4,6,6, MAP 10, REEDS SUB, RLOCK 1

AP.N.

561-171-18

CONSTRUCTION TYPE

HON-SPRINKLERED



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10/12/2016

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STORAGE 4-8"×14"-4"

PROPOSED ADDITION TO CONVENIENCE STORE

RESTROOM

STORAGE 8'4" x8'4"

SALES COUNTER AREA

SASSTATION

SALES 13'47'x 88'-6"

OFFICE B-F x P-er

A-2

FLOOR PLAN

PROPOSED BEER AND WINE

PROPOSED BEER AND HINE

PROPOSED ADDITION TO CONVENIENCE STORE

PROPOSED BEER AND MINE

PROPOSED BEER AND WINE

PROPOSED BEER AND WINE

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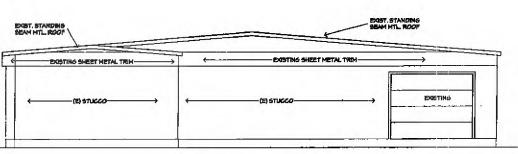
-2'-10's

SHOP 25'2' x 27'3"

EXISTING AUTO REPAIR SHOP

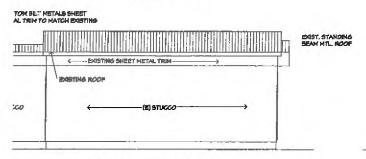
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1042/2016



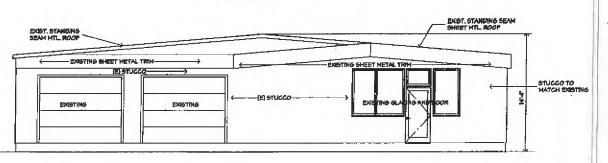
SOUTH ELEVATION

STUCCO TO MATCH EXISTING



NORTH ELEVATION





HE/SHE TAKES FIAL RESPONSIBILITY FOR THE DRAWINGS BEING CORRECT AND APPROVED BY THE CHARGE. THE DESIGNER SHALL TAKE SEND RESPONSIBILITY FOR ANY 100 COST

MEST ELEVATION

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EXIST. STANDING
SEAM MTL, ROOF



Item no. 3 November 7, 2016

CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - CONDITIONAL USE PERMIT FOR

THE EXPANSION OF A GAS STATION CONVENIENCE

STORE LOCATED AT 1803 HIGHLAND AVENUE

Case File No.: 2016-17 CUP

Location: Southeast corner of Highland Avenue and East 18th Street

Assessor's Parcel No.: 561-171-18

Staff report by: Jessica Madamba – Planning Technician

Applicant/Property owner: Michael Rafo

Zoning designation: MXC-2 – Major Mixed-Use Corridor

Adjacent land use/zoning:

North: Jack in the Box Restaurant across E. 16th St. / MXC-2

East: Commercial and multi-family residential / MXC-1 (Minor

Mixed-Use Corridor)

South: Wienerschnitzel Restaurant / MXC-2

West: Napa Auto Parts across Highland Ave. / MXC-2

Environmental review: Categorically Exempt pursuant to Class 1 Section 15301

(Existing Facilities)

Staff recommendation: Approve

BACKGROUND

The property owner has applied for a Conditional Use Permit (CUP) to expand an existing convenience store that is accessory to a gas station. A previous CUP (2008-25 CUP) was approved for beer and wine sales and expansion of the store in 2008; however, only the alcohol sales portion of the CUP was exercised. The property has a Type 20 (Off-Sale Beer and Wine) license from the California Department of Alcoholic Beverage Control (ABC). The convenience store is currently 540 square feet in size. The adjacent repair shop is 1,080 square feet in size and includes three service stalls with roll-up doors. The convenience store expansion would include additional square footage adjacent to the south side of the building and would convert one of the three service stalls. This expansion will add an additional 530 square feet to the existing convenience store.

Site Characteristics

The project site is a fully developed lot on the corner of Highland Avenue and East 18th Street. There are four detached structures located on the property – the main building, which houses the convenience store and repair shop, an automatic car wash, and two canopies which cover the fuel pump islands. Access to the property is provided via four driveways, two on Highland Avenue and two on East 18th Street. The overall property is 23,958 square feet in size and is located in the Major Mixed-Use Corridor (MXC-2) zone.

Proposed Use

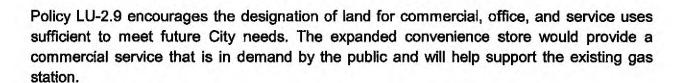
The applicant is proposing to expand the existing convenience store into one of the repair stalls (364 square feet) and to convert a roofed area to part of the store (182 square feet) on the south-facing side of the building. The resultant size of the convenience store would be 1,103 square feet. There is no proposed work for the existing fuel pump islands or the car wash.

The proposed expansion into the repair shop will provide increased display areas for products sold. Currently, beer and wine is located in coolers along a six-foot wall in the back of the convenience store. The project proposes to relocate the coolers to the north wall, which is further from the entrance and would add additional coolers. The total length of wall that would have coolers would be increased to 28 feet, approximately four times as many coolers. The applicant has stated that all of these coolers will display beer and wine.

<u>Analysis</u>

The proposal is consistent with the General Plan in that it meets the intent of the following two General Plan Policies:

Policy LU-2.6 supports development and redevelopment that creates jobs for all income levels. Both the proposed commercial area and construction would create additional job opportunities in the City.



Land Use Code

The MXC-2 zone permits gasoline service stations with convenience stores subject to a CUP. The existing gas station lacks a CUP, as it was developed prior to the City's CUP requirement for gasoline service stations. Chapter 18.30.190 of the Land Use Code (Service stations and convenience stores with gasoline pumps) requires a CUP for greater than 216 cubic feet of non-automotive product sold at a gas station. Although a CUP for expansion of the store was approved in 2008, it was only partially exercised (alcohol sales only) and that part expired. Another CUP was approved in 1994 for the automatic car wash.

<u>Mailing</u> – All property owners <u>and</u> occupants within a distance of 300 feet are required to be notified of a public hearing for CUP applications, as was done in this case. 110 notices were mailed for this public hearing, including 46 property owners and 64 occupants.

<u>Parking</u> – With the 530 square-foot addition, the convenience store would be 1,103 square feet in size and the repair shop would be 700 square feet in size. Parking for uses is as follows:

- Auto Service 1 space per 800 square feet (1)
- Convenience Store 1 space per 250 square feet (5)

The lot currently has eight standard parking spaces and one handicapped-accessible space. There is no specific parking requirement for a gas station; however, most commercial uses require one space for each 250 square feet. In this case, that would be approximately six spaces, which would be provided.

Required findings

The Municipal Code contains required findings for Conditional Use Permits. There are six required findings:

 The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed Use Corridor zone pursuant to a Conditional Use Permit, and the proposed expansion of the convenience store meets the required guidelines in the Land Use Code for service stations and convenience stores with gasoline pumps, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

General Plan Policy LU-2.9 designates land for commercial, office, and service uses sufficient to meet future city needs. The proposed convenience store expansion accommodates the mixed used location by allowing residents to meet their needs without traveling long distances and help increase job opportunities. Policy LU-2.6 supports development and redevelopment that creates jobs for all income levels. Both the proposed commercial area and construction would create additional job opportunities in the City. There are no specific plans in the area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

The convenience store is currently located on the property and was previously approved for the sale of alcohol. The expansion of the store will contribute to the viability of an existing older business along the Highland Avenue mixed use corridor.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

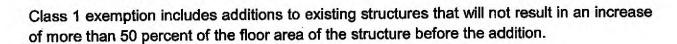
The property is already fully developed, including the convenience store. The proposal to add additional square footage to the store is consistent with the existing use and is suitable for the property.

Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed modification to expand the convenience store is consistent with the previous approved use and is similar in nature to surrounding area and uses (retail and service commercial).

That the proposed project has been reviewed in compliance with the California Environmental Quality Act.

The proposed project has been reviewed in compliance with the California Environmental Quality Act. Staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit. The



Department and Agency comments

<u>Alcohol Sales Concentration/Location</u> – Per ABC, there are currently seven off-sale licenses authorized for Census Tract (116.01) associated with six alcohol outlets - Red Bird Market has two licenses that are reflected in the report, one active and one that was surrendered. However, it should be noted that no new licenses are being added in this case. The off-sale alcohol outlets in the census tract are:

Name	Address	License Type*	CUP
Highland Arco	1803 Highland Ave.	20	Y
National City Market	220-240 E 18th St.	20	(-)
Highland Arco	2336 Highland Ave.	20	-
Red Bird Market	2035 Highland Ave.	21	-
Hi-Bev Liquor	2111 Highland Ave.	21	-
Keg N Bottle	2335 Highland Ave.	21	

^{*} Type 20 – Off-Sale Beer and Wine Type 21 - Off-Sale General

With the exception of Highland Arco, all of these businesses are considered legal non-conforming – they have no Conditional Use Permit. This means that these establishments are not subject to the same strict conditions as a newer business with an approved CUP (e.g., limits on the sale of 22, 32 or 40 oz. malt beverages, single bottles, single wine coolers, no wine greater than 15% alcohol content). The existing convenience store is subject to the most recent Council Policy standards for off-sale alcohol CUP's, and would continue to be subject to said conditions after expansion.

Census tract 116.01 includes the area between East 18th Street and East 24th Street, and between National City Blvd. and L Avenue (72 square blocks). The attached census tract map shows the location of the subject tract. Per State Alcoholic Beverage Control (ABC) there are currently seven off-sale licenses in this census tract (116.01) where a maximum of three are recommended. Therefore, this census tract is considered by ABC to be over-saturated with regard to alcohol sales outlets. Although the census tract is over-saturated, the convenience store already holds an ABC license and was previously approved for alcohol sales with a CUP. The proposed expansion of the convenience store will not create any additional impacts with regard to alcohol sales than what already exists.

Police Department

Crime statistics provided by the Police Department (PD) indicate that the reporting area (Beat 23) had a September 2010 to April 2013 crime rate of 391.9%, above the 120% considered to be a high crime. Crimes are categorized as either Part I or Part II crimes. Part I crimes are serious crimes such as homicide, robbery, assault, burglary, vehicle theft, etc. Part II crimes are less serious in nature and less commonly reported. Part II crimes include simple assault, embezzlement, narcotics, and weapons charges (among others). Alcohol is typically just referenced as a contributing factor to a particular crime (robbery, assault, etc.); therefore, alcohol-specific crimes are harder to monitor. However, PD also provided a Prior Minor Criminal History report, which includes four arrests, one of which was an alcohol-related occurrence. The Alcohol Beverage Control Risk Assessment provided by PD allocated a total of 14 points, which would be considered a Medium Risk. Impacts with regards to additional ABC License issuance are not foreseen.

Building Division

Comments were provided by the Building Division require compliance with the 2013 California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes (included as condition no. 7).

Institute for Public Strategies (IPS)

The Institute for Public Strategies provided comments on the proposed CUP application. The convenience store is located in a Youth Sensitive Area, within one mile of two public schools - John A. Otis Elementary School located at 621 East 18th Street, and National City Middle School located at 1701 D Avenue. The IPS recommend that if the CUP is approved that owners, management, and staff be required to attend the Responsible Beverage Sales and Service training (covered under condition no. 12). Comments are attached for your review.

Conditions of Approval

The Conditions of Approval from the previous Conditional Use Permit (CUP-2008-25) would still apply to the property, unless otherwise modified. Standard Conditions of Approval have been included in the staff report. Additionally, conditions have been added reflecting Building Division, Planning Department, and Fire Departments comments and requirements.

Summary

The proposed use is consistent with the General Plan because gasoline stations and accessory convenience stores are a conditionally-allowed use in the MXC-2 zone. The existing gas station lacks a CUP, as it was developed prior to the City's CUP requirement for gasoline service stations. In addition, modification and expansion of the existing convenience store located at the gas station requires a CUP. A CUP was previously approved for the off-site sale of alcohol (CUP 2008-25), as well as a CUP for the automatic car wash (CUP 1994-



2). The proposed expansion would add additional square footage to the existing convenience store and is consistent with the existing use.

OPTIONS

- 1. Approve 2016-17 CUP subject to the attached conditions, and based on attached findings or other findings as determined by the Planning Commission; or
- 2. Deny 2016-17 CUP based on findings as determined by the Planning Commission; or
- 3. Continue the item for additional information

ATTACHMENTS

- 1. Recommended Findings
- 2. Recommended Conditions
- Overhead
- 4. Department and Agency Comments
- 5. Census Tract Map and Police Beat Map
- 6. Public Hearing Notice (Sent to 46 property owners & 64 Occupants)
- 7. Notice of Exemption
- 8. Applicant's Plans (Exhibits A, Case File No. 2016-17 CUP, dated 7/11/2016)
- 9. Council Resolution 2008-251

JESSICA MADAMBA

modanta

Planning Technician

BRAD RAULSTON Deputy City Manager



- 1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed Use Corridor zone pursuant to a Conditional Use Permit, and the proposed expansion meets the required guidelines in the Land Use Code for service stations and convenience stores.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, because General Plan Policy LU-2.6 supports development and redevelopment that creates jobs for all income levels and General Plan Policy LU-2.9 encourages the designation of land for commercial, office, and service uses sufficient to meet future City needs. The expanded convenience store will help support the existing gas station and potentially create addition job opportunities. In addition, the proposed facility is a conditionally-permitted use in Major Mixed Use Corridor zone.
- 3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the convenience store is currently located on the property and the expansion of the store would have minimal impact on the site.
- 4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is already fully developed, including the convenience store. The proposal to expand the store is consistent to the existing use and zone, and is suitable for the property.
- 5. That granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed expansion is consistent with the previously approved use and is similar in nature to surrounding area uses.
- 6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

RECOMMENDED CONDITIONS OF APPROVAL

2016-17 CUP - 1803 Highland Avenue

General

- This Conditional Use Permit authorizes the expansion of an existing convenience store located at 1803 Highland Avenue. Unless specifically modified by this resolution or subsequent Codes, all previous Conditions of Approval as stated in City Council Resolution No. 2008-251 are still in effect. Plans submitted for permits associated with this project shall conform with Exhibit A, case file no. 2016-17 CUP, dated 7/11/2016.
- 2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
- 3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
- 5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
- This Conditional Use Permit may be revoked if the operator is found to be in violation of Conditions of Approval.

Building

- Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes. The City currently utilizes the 2013 editions.
- 8. Call 800-227-2600 (Underground Service Alert) for mark out prior to any digging activities.

Fire

- 9. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
- All required signage shall be designed and installed to the Fire Department's specifications.
- 11. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

- 12. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
- 13. The sale of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 12:00 a.m.



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

July 14, 2016

To:

Planning Division

From:

Building Division

Subject: Case File No. 2016-17

1803 Highland Avenue

The proposed expansion of the convenience store at the location listed above shall be constructed as per the 2013 California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes. If you have any questions regarding this matter please contact me at 619-336-4214, thank you.

Luis Sainz

Building Official



NATIONAL CITY POLICE DEPARTMENT ALCOHOL BEVERAGE CONTROL RISK ASSESSMENT

DATE: 08/04/2016				
BUSINESS NAME: Highland Service Station				
ADDRESS: 1803 Highland Avenue, Na				
OWNER NAME: Michael Rafo	DOB: 06/21/1988			
OWNER ADDRESS: 1851 Sea Pines				
	dd additional owners on page 2)			
I. Type of Business				
Restaurant (1 pt)	Notes:			
✓ Market (2 pts)	Prior Minor Criminal History:			
Bar/Night Club (3 pts) Tasting Room (1pt)	4/2013-Cite for smoking in public pk			
II. Hours of Operation Daytime hours (1 pt) ✓ Close by 11pm (2 pts)	6/2011-Arrest for drunk in public			
	9/2010-FI for smoking in stadium			
Close after 11pm (3 pts)	9/2004-Arrest for sale of tobacco to minor			
III. Entertainment				
Music (1 pt)	**Michael Rafo is not listed as ABC Lic holder			
Live Music (2 pts)	Auday Salem & Raphael Rafo are listed on ABC Lic.			
Dancing/Live Music (3 pts)	James Teacher Teacher Teacher Teacher			
✓ No Entertainment (0 pts)				
IV. Crime Rate	Crime rate at 391.9% (High)			
Low (1 pt)				
Medium (2 pts)				
√ High (3 pts)	ABC Tract currently maxed as recommended			
V. Alcohol Businesses per Census Trac	<u></u>			
Below (1 pt)				
√ Average (2 pts)				
Above (3 pts)				

Revised: 8/16





VI. Calls for Service at Location (for previous 6 months)

✓ Below (1 pt)
Average (2 pts)
Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

Mostly commercial businesses (1 pt)

✓ Some businesses, some residential (2 pts)
Mostly residential (3 pts)

Low Risk (12pts or less) Medium Risk (13 – 18pts) High Risk (19 – 24pts)

Total Points 14

VIII. Owner(s) records check

No criminal incidents (0 pts)

✓ Minor criminal incidents (2 pts) Multiple/Major criminal incidents (3 pts)

OWNER NAME:	DOB:	
OWNER ADDRESS:		
OWNER NAME:	DOB:	
OWNER ADDRESS:		
Recommendation:		
Business currently holds a ABC L	cense (#529691). No impact with regards to addition	al
	will expand square footage from 1722sf to 1915sf.	
		_
		_
-		-
		_
		_
Completed by: Sergeant Shephard	Badge ID: 0402	

Revised: 8/16

1803 Highland Avenue / Crime Rate & Calls for Service

1 CFS TOTAL (01JAN2016-Present)

Count
1

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Required Parameters
Report to Period Officials (CCC) (R. About NATIONAL (CCC)

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ABC Report

Optional Parameters Group give EANS Group by: Boy



A Project of the Institute for Public Strategies

Environmental Scan for Alcohol License C.U.P.

Highland Service Station

1803 Highland Avenue, National City, CA 91950 August 1, 2016



Photo of Highland Service Station in National City



Google Earth View of 1803 Highland Avenue and Surrounding Area

This environmental scan is for an expansion of the convenience store and for the change in the approved floor plan for alcohol sales on the existing Conditional Use Permit at the Highland Avenue Service Station located at 1803 Highland Avenue in National City. The business is located on the corner of 18th and Highland Avenue in National City. An environmental scan was conducted on Monday, August 1, 2016.

The existing service station has a 540 square-foot convenience store and three-bay repair shop. The property has an approved CUP for beer and wine sales. During a scan of the business and property the following was noted:

The business is located in an area with other local businesses, single-family residences and multihousing units in the immediate area.

Youth Sensitive Areas

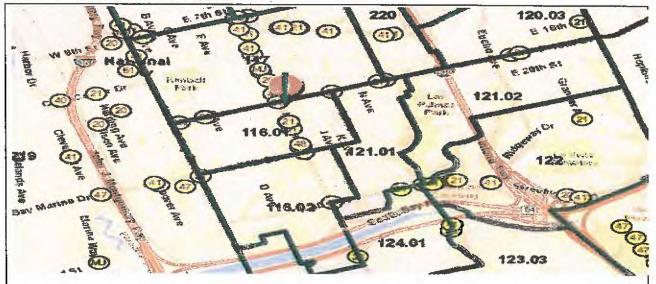
The business is located near two schools within one mile to include: John A. Otis Elementary School located at 621 E 18th St, National City, CA 91950 and National City Middle School located at 1701 D Ave, National City, CA 91950





Outlet Density

According to the ABC, three (3) off-sale licenses are authorized for Census Tract 0116.01, the census track within the area of which 1803 Highland Avenue is located. Currently there are Seven (7) off-sale licenses issued for the Census Tract is 0116.01.



Green Arrow and Red Pin Depict Applicant's Location for the Highland Service Station at "1803 Highland Avenue" in National City.

Yellow Circles Depict Existing Alcohol Outlets in Applicant's Census Tract and Other Nearby Census Tracts

Map from ABC.CA.Gov Website Showing Alcohol Outlets in National City





Census Tracts

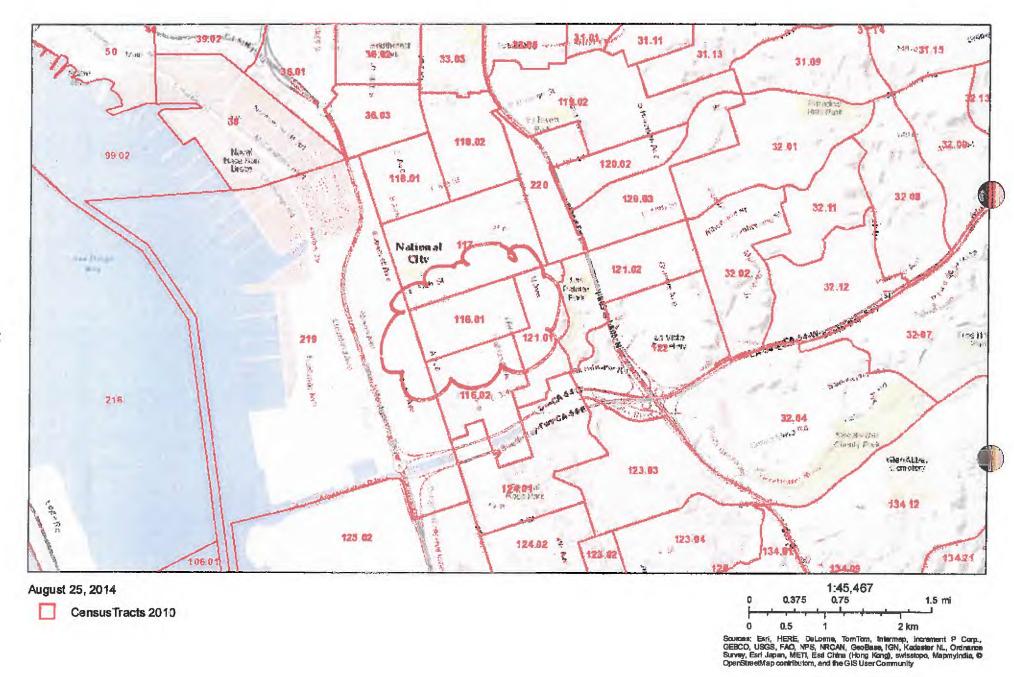
	Off-Sale	On-Sale
Tract 0116.01 Establishment is within this tract	Allowed: 3 Actual: 7 Number Above/Below Allowable: +4	Allowed: 7 Actual: 2 Above/Below: -5
Neighboring Census Tracts		
Tract 0117.0 Establishment is within this tract	Allowed: 4 Actual: 8 Number Above/Below Allowable: +4	Allowed: 8 Actual: 14 Above/Below: +6

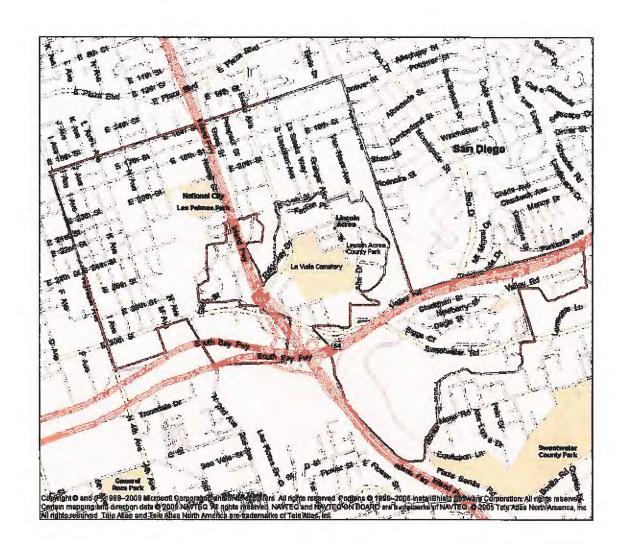
Crime Rate

Refer to National City Police Department for crime data.

Considerations

Should the change to the CUP be approved we would recommend that: Staff, management, and owner be required to attend the Responsible Beverage Sales and Service training. Alcohol sales hour should not exceed 10:00 PM.





City of National City Beat 23

Source: Microsoft Mappoint NCPD CAU, 4/18/07



CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT FOR THE EXPANSION
OF A GAS STATION CONVENIENCE STORE
LOCATED AT 1803 HIGHLAND AVENUE.
CASE FILE NO.: 2016-17 CUP

APN: 561-171-18

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, November 7, 2016**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Michael Rafo)

The applicant wishes to expand an existing gas station convenience store, which will convert one of three existing repair bays to retail space and expand the building to the south by 182 square feet. The store was previously approved to sell beer and wine between the hours of 8 a.m. to 12 a.m. No change in hours of operation is proposed.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received on or before 12:00 p.m., November 7, 2016 by the Planning Department, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON Deputy City Manager



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2016-17 CUP

Project Location: 1803 Highland Avenue, National City, CA.

Contact Person: Jessica Madamba <u>Telephone Number</u>: (619) 336-4381

<u>Description of Nature, Purpose and Beneficiaries of Project:</u>

Conditional Use Permit for the expansion of a convenience store located at an existing gas station, repair shop, and automatic carwash. The convenience store will expand into one of the three existing repair stalls, and create an additional 182 square feet to the south facing side of the building.

Applicant: Michael Rafo 1803 Highland Avenue National City, CA 91950 <u>Telephone Number</u>: (619) 994-9878

Exempt Status:

Reasons why project is exempt:

The project consists of a minor conversion and addition of an existing convenience store that will not result in an increase of more than 50 percent of the floor area of the structure before the addition.

Date:

JESSICA MADAMBA Planning Technician

RESOLUTION NO. 2008 - 251

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF NATIONAL CITY
APPROVING A CONDITIONAL USE PERMIT
FOR THE EXPANSION OF A FOOD MART AND
FOR ACCESSORY BEER AND WINE SALES
AT AN EXISTING GAS STATION LOCATED
AT 1803 HIGHLAND AVENUE
APPLICANT: FRED KARIM
CASE FILE NO. 2008-25 CUP

WHEREAS, the City Council of the City of National City considered a Conditional Use Permit for the expansion of a food mart and for accessory beer and wine sales at an existing gas station at 1803 Highland Avenue (APN: 561-171-18). at a duly advertised public hearings held on November 18, 2008, at which time oral and documentary evidence was presented; and

WHEREAS, at said public hearing the City Council considered the staff report contained in Case File No. 2008-25 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of National City, California, that the testimony and evidence presented to the City Council at the public hearings held on November 18, 2008, support the following findings:

- That the site for the proposed use is adequate in size and shape, since the addition to the
 existing mini-mart is within an existing building and that the sales area for beer and wine will
 be no more than 20 percent, or 130 square feet, of the available sales area.
- That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the volume and type of traffic generated by the proposed use, since the gas station is existing and the expansion of an existing mini-mart and the addition of alcohol sales is not expected to result in an appreciable increase in traffic.
- 3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, since the mini-mart already exists and is located in a developed commercial area. Also, conditions of approval controlling the sale of beer and wine will reduce the potential for adverse effects.
- 4. That the proposed use is deemed essential and desirable to the public convenience and welfare, since it will contribute to the viability of the service station, an established and allowed use in the applicable commercial zone, and will discourage pre-existing nonconforming uses that do not comply with all of the City's current standards for regulating establishments that sell alcoholic beverages.
- That the major design enhancement of the property will contribute to the viability of an existing older business and to other local businesses along the Highland Avenue commercial corridor.

Resolution No. 2008 – 251 December 2, 2008 Page 2

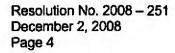
6. That public convenience and necessity may be served by the proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

- This Conditional Use Permit authorizes the 404 square-foot expansion of a mini-mart and
 for the sale of beer and wine for off-site consumption at the Highland Service Station
 located at 1803 Highland Avenue. Except as required by Conditions of Approval, all plans
 submitted for permits associated with the project shall conform with Exhibit A, Case File
 No. 2008-25 CUP, dated June 30, 2008.
- 2. A detailed landscape and underground irrigation plan, including plant species, methods of planting, etc. shall be submitted for review and approval by the Planning Director prior at building permit. The landscape plan shall reflect the use of drought tolerant planting and water conserving irrigation devices, as well as details for hardscape on site, including parking lot striping. The plans shall also show details for the trash enclosure, including a door and cover. The finish of the trash enclosure shall be painted to match other building on site.
- Exterior colors for the mini-mart and auto repair building shall be shown on building permit plans.
- 4. Plans must comply with the 2007 editions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, California Fire Code and California Title 24 energy and handicapped regulations.
- Permittee shall comply with all regulatory provisions of the Business and Professions Code, Section 23790.5 (d) (1) through (6), and Section 25612.5 — Retail Operating Standards. Any violation of the aforementioned code sections constitutes a violation of the Conditional Use Permit.
- The sale of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 12:00 a.m.
- 7. All persons who will be selling alcoholic beverages shall receive L.E.A.D. (Licensee Education on Alcohol and Drugs) training in Responsible Beverage Service from the State Department of Alcoholic Beverage Control or Responsible Hospitality Coalition.
- 8. The sale of beer or malt beverages in quantities of quarts, 22 ounce, 32 ounce, 40 ounce, or similar size containers is prohibited.
- 9. No beer and malt beverage products shall be sold of less than six-pack quantities per sale. There shall be no sale of single cans or bottles.
- No sale of wine shall be sold in containers of less than 750 milliliters, except for wine coolers. Wine coolers may be sold only by four-pack or other manufacturer's pre-packaged multi-unit quantities.

Resolution No. 2008 – 251 December 2, 2008 Page 3

- The sale of fortified or wine with an alcoholic content greater than 15% by volume is prohibited.
- 12. The building plans shall indicate the placement of signs on each exterior building wall of the licensed premises that faces a vehicle parking lot, in compliance with Chapter 10.30.070 of the National City Municipal Code that reads: "WARNING It is unlawful to drink an alcoholic beverage or to posses an open alcoholic beverage container in public or in a public parking lot. NCMC 10.30.050 and 10.30.060." The signs shall be installed prior to certificate of occupancy for the addition.
- 13. Signs shall be posted at each entrance to the applicant's premises prohibiting loitering on or in front of the premises. The signs shall be installed prior to certificate of occupancy for the addition.
- 14. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the applicant.
- 15. All cups and containers shall be sold at or above prevailing prices and in their original multicontainer packages of no fewer than 12, and no cups and containers shall be given free of charge.
- 16. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
- 17. The rear door(s) of the premises shall be kept closed at all times during the operation of the business except in case of deliveries or emergencies.
- 18. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
- 19. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
- 20. No coin operated games or other devices of entertainment shall be operated on the licensed premises.
- 21. The maximum display area allowed for the sale of alcohol is 130 square feet and shall be located only within the walk-in cooled storage and coolers as shown on Exhibit A, Case File No. 2008-25 CUP, dated June 30, 2008.



- 22. Within four (4) days of approval, pursuant to Fish and Game Code Section 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- 23. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in Section 18.116.190 of the Municipal Code.
- 24. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
- Before this Conditional Use Permit shall become effective, the applicant and the property 25. owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Director that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Planning Director prior to recordation.

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted forthwith to the applicant.

BE IT FURTHER RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the resolution is adopted. The time within which judicial review of this decision may be sought is governed by the provisions of Code of Civil Procedure Section 1094.6.

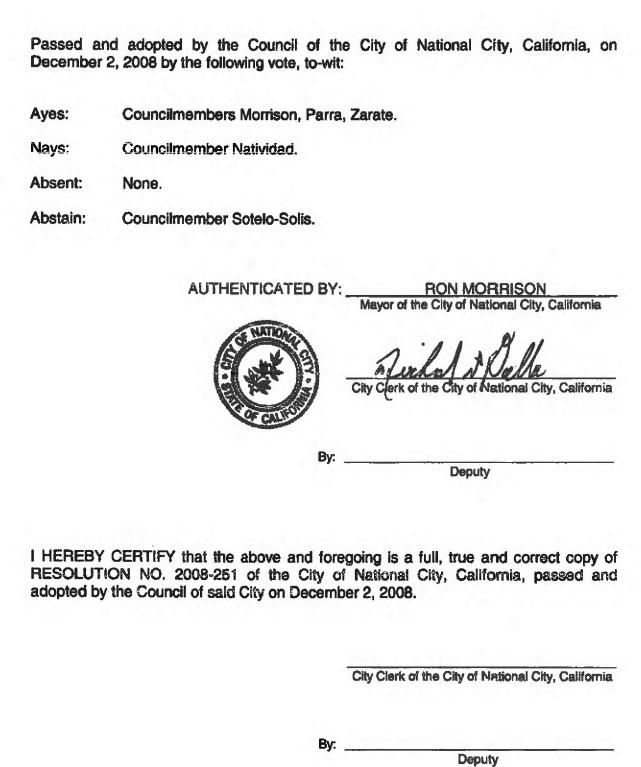
PASSED and ADOPTED this 2nd day of December, 2008.

Ron Morrison, Mayor

APPROVED AS TO FORM:

George H. Eiser, III

City Attorney





A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR THE EXPANSION
OF A GAS STATION CONVENIENCE STORE
LOCATED AT 1803 HIGHLAND AVENUE
CASE FILE NO. 2016-17 CUP
APN: 561-171-18

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the expansion of a gas station convenience store located at 1803 Highland Avenue at a duly advertised public hearing held on November 7, 2016, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2016-17 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and.

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on November 7, 2016, support the following findings:

- 1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is allowable within the Major Mixed Use Corridor zone pursuant to a Conditional Use Permit, and the proposed expansion meets the required guidelines in the Land Use Code for service stations and convenience stores.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, because General Plan Policy LU-2.6 supports development and redevelopment that creates jobs for all income levels and General Plan Policy LU-2.9 encourages the designation of land for commercial, office, and service uses sufficient to meet future City needs. The expanded convenience store will help support the existing gas station and potentially create addition job

opportunities. In addition, the proposed facility is a conditionally-permitted use in Major Mixed Use Corridor zone.

- 3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the convenience store is currently located on the property and the expansion of the store would have minimal impact on the site.
- 4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is already fully developed, including the convenience store. The proposal to expand the store is consistent to the existing use and zone, and is suitable for the property.
- 5. That granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed expansion is consistent with the previously approved use and is similar in nature to surrounding area uses.
- 6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

- 1. This Conditional Use Permit authorizes the expansion of an existing convenience store located at 1803 Highland Avenue. Unless specifically modified by this resolution or subsequent Codes, all previous Conditions of Approval as stated in City Council Resolution No. 2008-251 are still in effect. Plans submitted for permits associated with this project shall conform with Exhibit A, case file no. 2016-17 CUP, dated 7/11/2016.
- 2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning

Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.

- 3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- 4. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
- 5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
- 6. This Conditional Use Permit may be revoked if the operator is found to be in violation of Conditions of Approval.

Building

- Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes. The City currently utilizes the 2013 editions.
- 8. Call 800-227-2600 (Underground Service Alert) for mark out prior to any digging activities.

Fire

- 9. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
- 10. All required signage shall be designed and installed to the Fire Department's specifications.
- 11. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

12. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

13. The sale of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 12:00 a.m.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of November 7, 2016, by the following vote:

CHAIRPERSON

AYES: Bush, Yamane, Garcia, Baca, Sendt, Flores, Dela Paz

NAYS: None

ABSENT: None

ABSTAIN: None



CITY OF NATIONAL CITY Office of the City Clerk

1243 National City Blvd., National City, California 91950 619-336-4228 phone / 619-336-4229 fax

Michael R. Dalla, CMC - City Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of National City will hold a Public Hearing after the hour of 6:00 p.m., Tuesday, January 17, 2017, in the City Council Chambers, Civic Center, 1243 National City Blvd., National City, CA., to consider:

CONDITIONAL USE PERMIT FOR THE EXPANSION OF A GAS STATION CONVENIENCE STORE LOCATED AT 1803 HIGHLAND AVENUE

The Planning Commission conducted a public hearing at their meeting of November 7, 2016 and voted to recommend approval of the Conditional Use Permit by unanimous vote.

Anyone interested in this matter may appear at the above time and place and be heard.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the undersigned, or to the City Council of the City of National City at, or prior to, the Public Hearing.

January 4, 2017	
	Michael R. Dalla, CMC
	City Clerk

The following page(s) contain the backup material for Agenda Item: An Ordinance amending Title 15 of the National City Municipal Code to add Chapter 15.82 – Expedited Permit Processing for Electric Vehicle Charging Stations. (Planning)

CITY OF NATIONAL CITY, CALIFORNIA CITY COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017

AGENDA ITEM NO.

ITEM TITLE:

An Ordinance amending Title 15 of the National City Municipal Code to add Chapter 15.82 – Expedited Permit Processing for Electric Vehicle Charging Stations. (Planning)

PREPARED BY: Raymond Pe

PHONE: 4421



DEPARTMENT: Planning

APPROVED BY:

EXPLANATION:

Assembly Bill No. 1236, approved and filed on October 8, 2015, provides that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. AB 1236 requires the City to approve applications for the installation of electric vehicle charging stations through the issuance of specified permits unless the City makes specified written findings that the installation would have an adverse impact on public health or safety and that it would not be feasible to mitigate or avoid the impact. AB 1236 requires the City to adopt an ordinance by September 30, 2017. By increasing the duties of local officials, AB 1236 creates a state-mandated local program.

FINANCIAL STAT Not Applicable.	EMENT:	APPROVED:	Finance
ACCOUNT NO.			
ENVIRONMENTAL No further action by CEQA, is not o change in the env	is required under the California considered a project that has th	a Environmental Quality Act sind ne potential to result in either a d	ce the action, as defined direct or indirect physical
ORDINANCE:	INTRODUCTION: X	FINAL ADOPTION:	
STAFF RECOMME Introduce the Ordi			#
BOARD / COMMISS Not Applicable.	SION RECOMMENDATION:		
ATTACHMENTS: 1. Assembly Bill 2. Draft Ordinand			

Assembly Bill No. 1236

CHAPTER 598

An act to add Section 65850.7 to the Government Code, relating to local ordinances.

[Approved by Governor October 8, 2015. Filed with Secretary of State October 8, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1236, Chiu. Local ordinances: electric vehicle charging stations.

The Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities. Existing law, the Electric Vehicle Charging Stations Open Access Act, prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified.

The bill would require a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The bill would provide for appeal of that decision to the planning commission, as specified. The bill would provide that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill would require electric vehicle charging stations to meet specified standards. The bill would require a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill would require a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017. The bill would authorize the city, county, or city and county, in developing the ordinance, to refer to guidelines contained in a specified guidebook. The bill would also authorize the adoption of an ordinance that modifies the checklists and standards found in the guidebook due to unique conditions. By increasing the duties of local officials, this bill would create a state-mandated local program.

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The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 65850.7 is added to the Government Code, to read: 65850.7. (a) The Legislature finds and declares all of the following:

- (1) The implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is not a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution, but is instead a matter of statewide concern.
- (2) It is the intent of the Legislature that local agencies not adopt ordinances that create unreasonable barriers to the installation of electric vehicle charging stations and not unreasonably restrict the ability of homeowners and agricultural and business concerns to install electric vehicle charging stations.
- (3) It is the policy of the state to promote and encourage the use of electric vehicle charging stations and to limit obstacles to their use.
- (4) It is the intent of the Legislature that local agencies comply not only with the language of this section, but also the legislative intent to encourage the installation of electric vehicle charging stations by removing obstacles to, and minimizing costs of, permitting for charging stations so long as the action does not supersede the building official's authority to identify and address higher priority life-safety situations.
- (b) A city, county, or city and county shall administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit. Review of the application to install an electric vehicle charging station shall be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. The requirements of local law shall be limited to those standards and regulations necessary to ensure that the electric vehicle charging station will not have a specific, adverse impact upon the public health or safety. However, if the building official of the city, county, or city and county makes a finding, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health or safety, the city, county, or city and county may require the applicant to apply for a use permit.
- (c) A city, county, or city and county may not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis

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for the rejection of potential feasible alternatives of preventing the adverse impact.

- (d) The decision of the building official pursuant to subdivisions (b) and (c) may be appealed to the planning commission of the city, county, or city and county.
- (e) Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific, adverse impact upon the public health or safety at the lowest cost possible.
- (f) (1) An electric vehicle charging station shall meet applicable health and safety standards and requirements imposed by state and local permitting authorities.
- (2) An electric vehicle charging station shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
- (g) (1) On or before September 30, 2016, every city, county, or city and county with a population of 200,000 or more residents, and, on or before September 30, 2017, every city, county, or city and county with a population of less than 200,000 residents, shall, in consultation with the local fire department or district and the utility director, if the city, county, or city and county operates a utility, adopt an ordinance, consistent with the goals and intent of this section, that creates an expedited, streamlined permitting process for electric vehicle charging stations. In developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. An application that satisfies the information requirements in the checklist, as determined by the city, county, or city and county, shall be deemed complete. Upon confirmation by the city, county, or city and county of the application and supporting documents being complete and meeting the requirements of the checklist, and consistent with the ordinance, a city, county, or city and county shall, consistent with subdivision (b), approve the application and issue all required permits or authorizations. However, the city, county, or city and county may establish a process to prioritize competing applications for expedited permits. Upon receipt of an incomplete application, a city, county, or city and county shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance. An application submitted to a city, county, or city and county that owns and operates an electric utility shall demonstrate compliance with the utility's interconnection policies prior to approval.
- (2) The checklist and required permitting documentation shall be published on a publicly accessible Internet Web site, if the city, county, or city and county has an Internet Web site, and the city, county, or city and county shall allow for electronic submittal of a permit application and associated documentation, and shall authorize the electronic signature on

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all forms, applications, and other documentation in lieu of a wet signature by an applicant. In developing the ordinance, the city, county, or city and county may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Office of Planning and Research. A city, county, or city and county may adopt an ordinance that modifies the checklists and standards found in the guidebook due to unique climactic, geological, seismological, or topographical conditions. If a city, county, or city and county determines that it is unable to authorize the acceptance of an electronic signature on all forms, applications, and other documents in lieu of a wet signature by an applicant, the city, county, or city and county shall state, in the ordinance required under this subdivision, the reasons for its inability to accept electronic signatures and acceptance of an electronic signature shall not be required.

- (h) A city, county, or city and county shall not condition approval for any electric vehicle charging station permit on the approval of an electric vehicle charging station by an association, as that term is defined in Section 4080 of the Civil Code.
 - (i) The following definitions shall apply to this section:
- (1) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by a city, county, or city and county on another similarly situated application in a prior successful application for a permit.
- (2) "Electronic submittal" means the utilization of one or more of the following:
 - (A) Email.
 - (B) The Internet.
 - (C) Facsimile.
- (3) "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- (4) "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
- SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adding Chapter 2.74 to the National City Municipal Code pertaining to Ethics Training. (City Attorney)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017

AGENDA ITEM NO.

ITEM TITLE: An Ordinance of Municipal Code	the City Council of th pertaining to Ethics T	ne City of National City raining.	adding Chapter 2	2.74 to the Nationa	al City
PREPARED BY:	George H. Eiser, III		DEPARTMENT:	City Attorney	
PHONE: EXPLANATION:	Ext. 4222		APPROVED BY:	1 Dem	
Please see attac	hed memorandum.				
FINANCIAL STAT ACCOUNT NO. N/A	<u>EMENT</u> :		APPROVED:		Finance MIS
ENVIRONMENTA N/A	L REVIEW:				
ORDINANCE: IN	TRODUCTION: X	FINAL ADOPTION:			
STAFF RECOMM	ENDATION:				
Introduce propos	sed ordinance.				
BOARD / COMMI	SSION RECOMMENDA	ATION:			
N/A					
ATTACHMENTS: Memorandum Proposed ordina					

Mayor Ron Morrison

Council Members
Jerry Cano
Alejandra Sotelo-Solis
Mona Rios
Albert Mendivil



Interim City Attorney George H. Eiser, III

Senior Assistant City Attorney Nicole Pedone

Deputy City Attorney Roberto M. Contreras

MEMORANDUM

TO:

Mayor and City Council

DATE: January 17, 2017

FROM:

Interim City Attorney

SUBJECT:

Ethics Training Ordinance

Government Code Section 53235 requires that if a local agency, such as the City, provides any type of compensation, salary, stipend, or reimbursement for expenses to members of a legislative body, then all local agency officials shall receive at least two hours of training in ethics every two years. Section 53234 defines "local agency official" as the legislative body, boards and commissions, and elected officials of the local agency who receive such compensation, salary, stipend, or reimbursement for expenses. "Local agency official" also means any employee designated by the local agency legislative body to receive ethics training. The Mayor, members of the City Council, the Chair and members of the Planning Commission, the City Clerk, and the City Treasurer are required by the aforementioned sections of the Government Code to complete a two hour Fair Political Practices Commission approved ethics training session.

The proposed ordinance, in addition to confirming the ethics training requirement for the Mayor, City Council, City Clerk, and City Treasurer, would make ethics training required for members of all City boards and commissions, and for all employees who are required to file a Statement of Economic Interests pursuant to the Political Reform Act.

George H. Eiser, III Interim City Attorney

ORDINANCE NO. 2017 -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADDING CHAPTER 2.74 TO THE NATIONAL CITY MUNICIPAL CODE PERTAINING TO ETHICS TRAINING

BE IT ORDAINED that Chapter 2.74 is hereby added to Title 2 of the National City Municipal Code to read as follows:

	CHAPTER 2.74
	Ethics Training
Section	ons:
	2.74.010 Ethics Training—Required.
2.74.0	
by the City Ma	overnment Code Section 53235 at least every two years, in a program approved anager:
A.	Mayor and members of the City Council
B.	City Clerk
C.	City Treasurer
D.	Members of all boards and commissions identified in Title 16 of this Code
E.	All employees who are required to file a Statement of Economic Interests pursuant to the Political Reform Act, Government Code Section 87100, et seq.
	PASSED and ADOPTED this day of, 2017.
	Ron Morrison, Mayor
ATTEST:	TOIT WOTTSON, Mayor
Michael R. Da	alla, City Clerk
APPROVED A	AS TO FORM:
George H. Eis	

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Fire Code & the National Fire Protection Association Standards. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

An Ordinance of the City Council of the City of National City adopting the 2016 California Fire Code & the National Fire Protection Association Standards. In addition to all Appendices related to these codes.

PREPARED BY: Robert Hernandez / Fire Marshal

DEPARTMENT: Fire

PHONE: 336-4552

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Fire Code. A copy of the 2016 California Fire Code is on file at the Fire Department.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT:	APPROVED:	Finance
ACCOUNT NO. N/A	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
N/A		
ORDINANCE: INTRODUCTION: FIN	IAL ADOPTION: X	
STAFF RECOMMENDATION:		
Adoption		
BOARD / COMMISSION RECOMMENDATION	N:	
N/A	<u></u>	
ATTACHMENTS:		*
Explanation		
	101 of 321	

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Fire Code, 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Fire Department recommends adoption of the 2016 California Fire Code with the following change to the National City Municipal Code, Chapter 15.28, Section 15.28.140 pertaining to the City Council's Authority under Title 15.

15.28.140 Section 108, "Board of Appeals", Section 108.1, "Board of appeals established" — Amended. In order to hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems, and are not employees of the jurisdiction. The fire code official shall be an ex-officio member of the board, but shall not have a vote on any matter before the board. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Authority Having Jurisdiction. Decisions of the board may be appealable to the City Council by the appellant or by the Authority Having Jurisdiction within thirty (30) days of the decision of the board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The appellant shall be given at least ten (10) days' notice of the time and place of the hearing on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Building Code, in addition to all Appendices related to these codes. In addition, amending Chapter 15.08.075 of the National City Municipal Code pertaining to the

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

An Ordinance of the City Council of the City of National City adopting the 2016 California Building Code, in addition to all Appendices related to these codes. In addition, amending Chapter 15.08.075 of the National City Municipal Code pertaining to the City Council's Authority under Title 15.

PREPARED BY: Luis Sainz/Building Official

DEPARTMENT: Building

APPROVED BY:

PHONE: 336-4214

EXPLANATION:

This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Building Code. A copy of the 2016 California Building Code is on file in the Building Official's office.

State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions.

FINANCIAL STATEMENT:	APPROVED:	Finance
ACCOUNT NO. N/A	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
N/A		
ORDINANCE: INTRODUCTION: FINAL A	DOPTION: 💢	
STAFF RECOMMENDATION:		
Adoption		
BOARD / COMMISSION RECOMMENDATION:		
N/A		
1,42,4		
ATTACHMENTS:		
Explanation		

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Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Electrical Code & the 2014 National Electrical Code. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017	AG	ENDA ITEM NO.
ITEM TITLE:		
An Ordinance of the City Council of the City of National Code & the 2014 National Electrical Code. In additional Electrical Code.	onal City adopting the 2016 Califo on to all Appendices related to th	omia Electrical ese codes.
PREPARED BY: Luis Sainz/Building Official	DEPARTMENT: Buildin	ng
PHONE: 336-4214	APPROVED BY:	AX
EXPLANATION:		
This report is intended to provide the Mayor and Cit changes to the 2016 California Electrical Code & the California Electrical Code & the 2014 National Electrical	2014 National Electrical Code.	A copy of the 201
State law requires that the City of National City adopt to technical amendments to those necessitated due to lead to specific findings regarding local technical amendments. Department of Housing and Community Development administrative provisions of the codes. In order to sime	ocal topographical, geographical, o must be made by the local jurisdic State law does not restrict loca	or climatic conditions tion and filed with th Il amendments to the
that the code be adopted with minimal revisions.	piny construction in National City, s	staff is recommending
that the code be adopted with minimal revisions. FINANCIAL STATEMENT:	APPROVED:	
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that the code be adopted with minimal revisions. FINANCIAL STATEMENT: ACCOUNT NO. N/A ENVIRONMENTAL REVIEW:	APPROVED:	Finance
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FINANCIAL STATEMENT: ACCOUNT NO. N/A ENVIRONMENTAL REVIEW: N/A	APPROVED: APPROVED:	Finance

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Explanation

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filing of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Energy Code. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

EETING DATE: January 17, 2017	AGE	NDA ITEM NO.
TEM TITLE:		
n Ordinance of the City Council of the City of N code. In addition to all Appendices related to the	ational City adopting the 2016 Califorese codes.	rnia Energy
REPARED BY: Luis Sainz/Building Official	DEPARTMENT: Building	ξη <u>1</u>
PHONE: 336-4214	APPROVED BY:	A D
XPLANATION:		
This report is intended to provide the Mayor and thanges to the 2016 California Energy Code. A cop	City Council with a brief over-view of y of the 2016 California Energy Code is	significant technic on file in the Buildi
echnical amendments to those necessitated due Specific findings regarding local technical amendment Department of Housing and Community Development administrative provisions of the codes. In order to	ents must be made by the local jurisdict nent. State law does not restrict local	ion and filed with t amendments to t
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hat the code be adopted with minimal revisions. FINANCIAL STATEMENT: ACCOUNT NO. N/A ENVIRONMENTAL REVIEW: N/A	APPROVED:	Finan

ATTACHMENTS:

BOARD / COMMISSION RECOMMENDATION:

Explanation

N/A

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filling of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filling the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting Appendix J of the 2016 California Building Code, and amending Chapter 15.70 (Grading) of the National City Municipal Code. (Engineering/Public Works)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: AGENDA ITEM NO. January 17, 2017 ITEM TITLE: An Ordinance of the City Council of the City of National City adopting Appendix J of the 2016 California Building Code, and amending Chapter 15.70 (Grading) of the National City Municipal Code. PREPARED BY: Jose Lopez, Junior Engineer- Civil **DEPARTMENT:** Engineering/Public Works PHONE: |336-4312 **EXPLANATION:** The Ordinance was introduced at the City Council meeting on December 6, 2016. A public hearing was held earlier this evening. Adopting this Ordinance will finalize Council's action. FINANCIAL STATEMENT: APPROVED: **Finance** ACCOUNT NO. N/A APPROVED: MIS **ENVIRONMENTAL REVIEW:** N/A ORDINANCE: INTRODUCTION: FINAL ADOPTION: X STAFF RECOMMENDATION: Adopt the Ordinance adopting Appendix J of the 2016 California Building Code, and amending Chapter 15.70 (Grading) of the National City Municipal Code. **BOARD / COMMISSION RECOMMENDATION:** N/A ATTACHMENTS: Ordinance

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ORDINANCE NO. 2016 -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING APPENDIX J OF THE 2016 CALIFORNIA BUILDING CODE AMENDING CERTAIN SECTIONS OF THAT CODE, AND AMENDING CHAPTER 15.70 (GRADING) OF THE NATIONAL CITY MUNICIPAL CODE

The City Council of the City of National City does ordain as follows:

- Section 1. The City Council of the City of National City hereby adopts Appendix J of the 2016 California Building Code, California Code of Regulations, Title 24, Part II, Appendix J.
- Section 2. The City Council of the City of National City hereby amends, adds, and deletes certain sections of Appendix J of the 2016 California Building Code.
- Section 3. The City Council of the City of National City amends Chapter 15.70 of the National City Municipal Code to read as follows:

CHAPTER 15.70

GRADING

Sections:

1077	
15.70.005	Adoption of Appendix J of the 2016 California Building Code - Amended.
15.70.010	Purpose.
15.70.015	Appendix J of the 2016 California Building Code, Section J101 "General", Subsection J101.1 "Scope" – Amended.
15.70.020	Appendix J of the 2016 California Building Code, Section J102 "Definitions" – Amended.
15.70.025	Hazards and safety precautions.
15.70.030	Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection 103.2.1 "Exemptions" – Amended.
15.70.035	Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.2 "Exemptions" – Amended.
15.70.040	Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.5 "Exemptions" – Amended.
15.70.045	Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.6 "Exemptions" – Amended.
15.70.055	Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.8 "Exemptions" – Added.
15.70.060	Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.5 "Engineered Grading Requirements" – Added.

15.70.065	Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.6 "Regular Grading and Retaining Wall Construction Requirements" – Added.
15.70.070	Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.7 "Licenses and Insurance" – Added.
15.70.075	Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.8 "Conditions" – Added.
15.70.080	Appendix J of the 2016 California Building Code, Section J105 "Inspections", Subsection J105.3 – Added.
15.70.085	Appendix J of the 2016 California Building Code, Section J106 "Excavations", Subsection J106.1.2 "Exceptions" – Deleted.
15.70.090	Appendix J of the 2016 California Building Code, Section J107 "Fills", Subsection 1 "General" – Deleted.
15.70.095	Appendix J of the 2016 California Building Code, Section J107 "Fills", Subsection 2 "Surface Preparation" – Amended.
15.70.100	Appendix J of the 2016 California Building Code, Section J107 "Fills", Subsection J107.4 "Fill material" – Amended.
15.70.105	Appendix J of the 2016 California Building Code, Section J108 "Setbacks", Subsection J108.1 "General" – Amended.
15.70.110	Appendix J of the 2016 California Building Code, Section J108, "Setbacks", Subsection J108.2 "Top of Slope" – Amended.
15.70.115	Appendix J of the 2016 California Building Code, Section J108 "Setbacks", Figure J108.1, "Drainage Dimensions" – Amended.
15.70.120	Appendix J of the 2016 California Building Code, Section J108 "Setbacks", Subsection J108.3 "Slope Protection" – Amended.
15.70.125	Appendix J of the 2016 California Building Code, Section J109 "Drainage and Terracing", Subsection J109.4 "Drainage across property lines" – Amended.
15.70.130	Appendix J of the 2016 California Building Code, Section J109 "Drainage and Terracing", Subsection J109.5 "Surface Run-off Interception" – Added.
15.70.135	Appendix J of the 2016 California Building Code, Section J109 "Drainage and Terracing", Subsection J109.6 "Easements and Encumbrances" – Added.
15.70.140	Appendix J of the 2016 California Building Code, Section J110 "Erosion Control", Subsection J110.33 "Storm Water Erosion and Sediment" – Added.
15.70.145	Grading fees.

15.70.146	Work commencing prior to permit issuance
15.70.150	Completion of work.
15.70.155	Rough grading permit.
15.70.160	Parking lots.
15.70.165	Bonds.
15.70.170	Violation a misdemeanor.
15.70.175	Board of Appeals

15.70.005 Adoption of Appendix J of the 2016 California Building Code – Amended. There is adopted by the City Council for the purpose of prescribing regulations governing the excavation and grading on private property, and the issuance of permits, and providing for the inspection thereof, Appendix J of the 2016 California Building Code, subject to the amendments, additions and deletions set forth in this chapter based on local climatic, geological, or topographical conditions. A copy of this adopted code is on file in the engineering department.

15.70.010 Purpose. The purpose of this Chapter is to safeguard life, limb, property, and the public welfare by regulating grading and other earthwork activities, or by controlling existing fills and excavations, and the construction of retaining walls, drainage facilities on private property and to ensure that soil erosion, sedimentation, and storm water runoff are regulated to reduce, to the maximum extent practicable, pollutants entering the storm water conveyance system and waters of the state to protect water quality.

15.70.015 Appendix J of the 2016 California Building Code, Section J101 "General", Subsection J101.1 "Scope"—Amended. Section J101, Subsection 1 of the 2016 California Building Code is amended to read as follows:

J101.1 <u>Scope</u>. This Ordinance sets forth rules and regulations to control excavation, grading, drainage, earthwork construction, including fills and embankments, and retaining wall construction; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading and retaining wall construction. Where conflicts occur between the technical requirements of this chapter and the geotechnical report, the geotechnical report shall govern.

15.70.020 Appendix J of the 2016 California Building Code, Section J102 "Definitions – Amended. For the purposes of Chapter 15.70, the following definitions supplement, or modify certain definitions in Appendix J of the 2016 California Building Code, Section J102. All other definitions listed in the 2016 Building Code shall remain applicable.

<u>APPROVAL</u> - The term "approval" does not constitute certification of the project as a whole in terms of completeness, accuracy, design and construction standards, as shown on the plans.

<u>AUTHORITY HAVING JURISDICTION</u> – means the City Engineer of the City of National City, or designee.

<u>BEST MANAGEMENT PRACTICES OR BMPS</u> — means schedules of activities, pollution treatment practices or devices, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices or devices to prevent or reduce the discharge of pollutants directly or indirectly to Storm Water, Receiving Waters, or the Storm Water Conveyance System. Best Management Practices also include but are not limited to treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage. Best Management Practices may include any type of pollution prevention and pollution control measure that can help to achieve compliance with this Chapter. Best Management Practices may include any type of pollution prevention and pollution control measure, which the City Engineer finds, is necessary to reduce pollutants entering the Waters of the State to the Maximum Extent Practicable.

BUILDING OFFICIAL - means the City Engineer or designee.

<u>CIVIL ENGINEER</u> – means a professional engineer registered in the State of California to practice in the field of civil engineering as defined in Section 6731 of the California Business and Professions Code. He or she is the person directly responsible for the project design, plan certification, and construction supervision.

<u>DRAINAGE PLAN</u> – means a plan which shows existing and proposed site drainage within a property that is to be developed or rough graded. The drainage plan shall be prepared by a registered civil engineer, an architect, or other qualified and licensed professionals, and shall comply with the standards and requirements of the City Engineer. If, for a given development, no grading is proposed, or the earthwork quantity involved in the grading is below the established limit of this ordinance, and for which a grading plan is not required, then as a minimum, a drainage plan shall be submitted for the development.

<u>EROSION CONTROL PLAN</u> – means a plan prepared and signed and stamped/sealed by a civil engineer competent in the preparation of such plans and knowledgeable about current erosion control methods. The plan shall provide for protection of exposed soils, prevention of discharge of sediment, and desiltation of runoff at frequent intervals along flowage areas, at entrances to storm drains, at entrances to streets and driveways, and at the exit of the area being graded.

<u>EROSION CONTROL SYSTEM</u> – means any combination of desilting facilities, retarding basins, flow decelerates, and/or erosion protection (including effective planning and the maintenance thereof) to protect the project site, adjacent private property, watercourses, public facilities, graded improvements, existing natural facilities, archaeological artifacts, and relieve waters of suspended sediments or debris prior to discharge from the site.

<u>GRADE</u> – means the vertical location of the ground surface, in relation to a National City benchmark elevation.

<u>MAXIMUM EXTENT PRACTICABLE or ("MEP")</u> – means the standard established in Clean Water Act section 402(p)(3)(B)(iii) that municipal dischargers of storm water must meet. MEP is an acceptability standard for Best Management

Practices based on a level of pollutant reduction that can be achieved by the most effective set of BMPs that can be implemented and still remain practicable; MEP generally emphasizes pollution prevention and source control BMPs as the first line of defense in combination with treatment methods as a backup.

<u>PERMITTEE</u> – means any person, corporation, partnership, limited liability company, non-profit entity, joint venture, association of any type, public entity or any other legal entity, which submits an application for a permit pursuant to this Chapter.

<u>POLLUTANT</u> – means any agent that may cause or contribute to the degradation of water quality, including, but not limited to, earth materials.

<u>RAINY SEASON</u> – means the period beginning October 1st and ending April 30th in the next calendar year. The remainder of the year is the dry season.

<u>RETAINING WALL PLAN</u> — means a plan prepared by a registered civil engineer, an architect, or other qualified professional, which shows pertinent top and bottom of wall elevations and the wall profile, together with the existing and proposed ground elevations and profile at the wall. The plan shall be prepared in accordance with the requirements set forth by the City Engineer, and shall be subject to approval by the City Engineer. The plan shall be required for walls in excess of 3 feet (3') in height, measured from the top of the footing, to the top of the wall, and for walls less than or equal to 3 feet (3') in height measured from the top of the footing, to the top of the wall, supporting a surcharge or a sloped backfill. The retaining walls shall be in accordance with the Regional Standard Drawings, and the Standard Specifications, or shall be specially engineered.

STORM WATER CONVEYANCE SYSTEM – means private and public drainage facilities within the city by which storm water may be conveyed to waters of the United States, including but not limited to, streets, roads, catch basins, natural and artificial channels, natural and artificial drainage features, aqueducts, canyons, stream beds, gullies, curbs, gutters, ditches, and storm drains. Historic and current development makes use of natural drainage patterns and features as conveyances for urban runoff. Urban streams used in this manner are part of the Storm Water Conveyance System regardless of whether they are natural, manmade, or partially modified features.

<u>WATERS OF THE STATE</u> – means any water, surface or underground, including saline waters within the boundaries of California, including a municipal storm sewer system (MS4).

<u>WATERS OF THE UNITED STATES</u> – has the same meaning as in 40 Code of Federal Regulations section 122.2.

15.70.025 Hazards and safety precautions. If, at any stage of work, the City Engineer determines that authorized grading is likely to endanger any public or private property or result in the deposition of debris on any public way or interfere with any existing drainage course, the City Engineer may specify and require reasonable safety precautions to avoid the danger. The permittee shall be responsible for removing excess soil and debris deposited upon adjacent and downstream public or private property resulting from permittee's grading operations. Soil and debris shall be removed and damage to adjacent and downstream property repaired as directed by the City Engineer. Erosion and siltation

control shall require temporary or permanent siltation basins, energy dissipaters, or other measures as field conditions warrant, whether or not such measures are a part of approved plans. The permittee shall incur cost associated with any work outlined in this section.

The City Engineer shall not issue a grading permit in any case where the City Engineer finds that the work, as proposed by the applicant, will damage any private or public property, or interfere with any existing drainage course in a manner which may cause damage to any adjacent property, or result in the depositing of debris on any public way, or create an unreasonable hazard to person or property, or cause or contribute to an exceedance of state water quality objectives, or fail to reduce pollutants from the site to the maximum extent practicable.

- 15.70.030 Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.1 "Exemptions" Amended. Section J103.2.1 of the 2016 California Building Code is amended to read as follows:
 - 1. When approved by the City Engineer, grading in an isolated or self-contained area, provided there is no danger to the public, and such grading will not adversely affect adjoining properties.
- 15.70.035 Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.2 "Exemptions" Amended. Section J103.2.2 of the 2016 California Building Code is amended to read as follows:
 - 2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than 5 feet (1525 mm) after the completion of such structure.
- 15.70.040 Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.5 "Exemptions" Amended. Section J103.2.5 of the 2016 California Building Code is amended to read as follows:
 - 5. Excavations for wells or trenches for utilities on private property.
- 15.70.045 Appendix J of the 2013 California Building Code, Section J103 "Permits Reguired", Subsection J103.2.6 "Exemptions" Amended. Section J103.2.6 of the 2016 California Building Code is amended to read as follows:
 - 6. Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property, excepting the dumping and stockpiling of dirt and rubble, which is strictly prohibited in National City.

15.70.055 Appendix J of the 2016 California Building Code, Section J103 "Permits Required", Subsection J103.2.8 "Exemptions" – Added. Section J103.2.8 is added to the 2016 California Building Code to read as follows:

8. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m3) on any one lot and does not obstruct a drainage course.

15.70.060 Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.5 "Engineered Grading Requirements" – Added. Section J104.5 is added to the 2016 California Building Code to read as follows:

J104.5 <u>Engineered Grading Requirements</u> — Application for a grading permit shall be accompanied by a work schedule including details of the hauling operation, size of trucks, haul route, dust and debris control measures and time and frequency of haul trips; four sets of plans and specifications; and two sets of supporting data consisting of a soils engineering report, engineering geology report (if necessary), drainage study, structural calculations, cost estimate and applicable fees, and other pertinent information as may be required by the City Engineer and all relevant information listed in the plan checklists as developed by the City Engineer.

15.70.065 Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.6 "Regular Grading and Retaining Wall Construction Requirements" – Added. Section J104.6 is added to the 2016 California Building Code to read as follows:

J104.6 <u>Regular Grading and Retaining Wall Construction Requirements</u>. Each application for a grading or retaining wall permit shall be accompanied by four sets of plans and specifications, in sufficient clarity, to indicate the nature and extent of the work, as well as supporting data consisting of a soils engineering report, engineering geology report (if necessary), drainage study, structural calculations, cost estimate, and other pertinent information as required by the City Engineer. All grading plans shall be prepared and signed and stamped/sealed by a registered civil engineer and by a registered soil engineer, or registered civil engineer competent in soils engineering. The plans shall include the following information:

- 1 Location of work;
- Name of the person who prepared the plans;
- 3 General vicinity of the proposed site;
- 4 Limiting dimensions and depth of cut and fill with input and export values:
- 5 Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet (15') of the proposed grading;

6 All other relevant information listed in the plan checklists as developed by the City Engineer.

The City Engineer may waive the requirement for a grading permit when the proposed grading is on a single lot or parcel not proposed for further subdivision and in the opinion of the City Engineer, the proposed grading entails no hazard to any adjacent property, does not necessitate construction of extensive drainage structures or erosion control facilities, and does not interfere in any way with existing natural or improved drainage courses or channels.

A retaining wall less than or equal to three feet (3') in height measured from the top of the footing to the top of the wall, when no surcharge is present, the backfill is level, and when not an integral part of a building shall be exempt from a grading permit. However, the construction of said retaining wall shall comply with the Regional Standard Drawings, and is subject to inspection by the City Engineer or his/her designee.

15.70.070 Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.7 "Licenses and Insurance" – Added. Section J104.7 is added to the 2016 California Building Code to read as follows:

- J104.7 <u>Licenses and Insurance</u>. Prior to the issuance of a permit, the applicant or the applicant's contractor shall present to the City Engineer evidence of the following:
- I. Coverage of general liability insurance and worker's compensation in the amounts required by the City Engineer. Such insurance policy shall name the City of National City and its elected officials, officers, agents, and employees as additional insured. The actual endorsements or policy language regarding automatic additional insureds must be provided.
- II. City business license, which may be obtained from the National City Finance Department.
 - III. Appropriate state contractor license.
- 15.70.075 Appendix J of the 2016 California Building Code, Section J104 "Permit Application and Submittals", Subsection J104.8 "Conditions" Added. Section J104.8 of the 2016 California Building Code is added to read as follows:
 - A. <u>Standards</u>. All grading, drainage, and retaining wall work done under this ordinance shall be in accordance with the approved plans and the conditions of the required permits. The work shall conform to the Standards of the City of National City, the County of San Diego Regional Standard Drawings (latest adopted edition), the Public Works Inspection Manual (latest adopted edition), the Standard Specifications for Public Works Construction (latest adopted edition), and any other conditions as may be determined by the City Engineer to be applicable to the work. Deviations from the requirements of these standards may be permitted by the City Engineer, based upon written reports and recommendations by qualified authorities.
 - B. <u>Water Quality</u>. It shall be a condition of every permit issued under this Chapter that the Permittee shall comply with all the provisions of the City of

National City Watercourse Protection, Storm Water Management and Discharge Control Ordinance in Chapter 14.22 of this Code.

- C. <u>Minimum BMPs</u>. The BMPs required by the City of National City Storm Water Best Management Practices Manual adopted in this Municipal Code shall be the minimum BMPs required for issuance of a grading permit and additional BMPs may be required by the City Engineer as a condition of issuance of the grading permit.
- D. <u>Grading Plan Requirements</u>. All grading plans, regardless of the date of submittal, shall include an erosion control plan designed to limit erosion of all disturbed portions of the property and to eliminate the transport of soil onto adjacent properties or into streets, storm drains, or drainage ways.
- E. <u>Standard Urban Storm Water Mitigation Plan (SUSMP) Checklist.</u>
 A SUSMP checklist as created by the City Engineer shall be submitted with plans.
- 15.70,080 Appendix J of the 2016 California Building Code, Section J105

 "Inspections", Subsection J105.3 Added. Section J105.3 is added to the California Building Code to read as follows:

J105.3 The Permittee or his agent shall notify the City Engineer:

- A. Initial inspection (pre-construction conference) when he is ready to begin grading and not less than forty-eight (48) hours before any grading is to be commenced. The pre-construction meeting shall be attended by the owner of the property, the soils engineer and the engineering geologist (when necessary) the design engineer, the grading contractor, and the building and engineer inspectors.
- B. Toe of fill inspection. After the natural ground is exposed and prepared to receive fill, but before any fill is placed.
- C. Excavation Inspection After excavation is started, but before the vertical depth of the excavation exceeds 10 feet.
- D. Fill Inspection. After fill and placement is started, but before the vertical height of the lifts exceeds 10 feet.
- E. Drainage Device Inspection Before and after forms and reinforcement are in place, but before any concrete is placed.
- F. Rough Grading. Upon completion of all rough grading, including installation of all drainage structures and other protective devices, at least twenty-four hours before inspection is to be made.
- G. Final Inspection. Upon completion and approval by the project Civil Engineer and Soils Engineer of all work shown on the plans and the permit including the installation of all drainage or other structures.
- H. In addition to the above, inspections for retaining walls shall be per the San Diego County Regional Standard Drawings or special Engineering.
- Modification of approved plans, if changes are to be made in the approved plans during construction, the applicant, or his agent, shall submit an engineering change order to the inspector or to the City Engineer, for review and approval.

- 15.70.085 Appendix J of the 2016 California Building Code, Section J106

 "Excavations", Subsection J106.1.2 "Exceptions" Deleted. Appendix J of the 2016 California Building Code, Section J106.1.2 "Exceptions" is deleted.
- 15.70.090 Appendix J of the 2016 California Building Code, Section J107 "Fills", Subsection 1 "General" Deleted. Appendix J of the 2016 California Building Code, Section J107 "Fills". Subsection 1 "General" is deleted.
- 15.70.095 Appendix J of the 2016 California Building Code, Section J107 "Fills", Subsection 2 "Surface Preparation" Amended. Subsection J107.2 of the 2016 California Building Code is amended to read as follows:
 - J107.2 <u>Surface Preparation</u>. Fill slopes shall not be constructed on natural slopes steeper than 1 unit vertical in 2 units horizontal (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials scarifying to provide a bond with the new fill and, where slopes are steeper than 1 unit vertical in 5 units horizontal (20% slope) and the height is greater than 5 feet (1524 mm), by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of fill shall be at least 10 feet (3048 mm) wide. The area beyond the toe of fill shall be at least 10 ft (3048 mm) wide but the cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both, as a suitable foundation for fill.
- 15.70.100 Appendix J of the 2016California Building Code, Section J107 "Fills", Subsection J107.4 "Fill material" Amended. Subsection J107.4 of the 2016 California Building Code is amended to read as follows:
 - J107.4 <u>Fill material</u>. Organic material shall not be permitted in fills. Except as permitted by the City Engineer, no rock or similar irreducible material with a maximum dimension greater than 12 inches (305 mm) shall be buried or placed in fills.

Exception: The City Engineer may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approved the fill stability. The following conditions shall also apply:

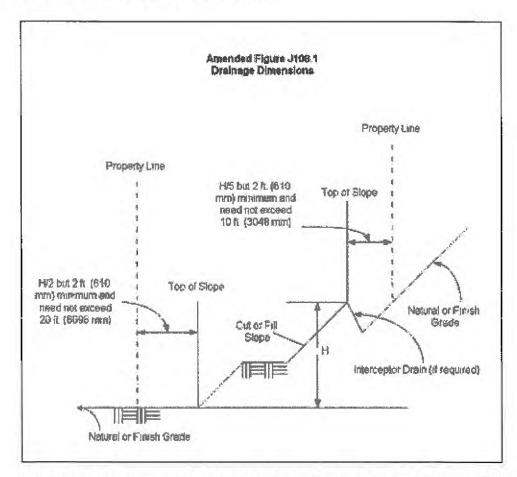
- 1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
- 2. Rock sizes greater than 12 inches (305 mm) in maximum dimension shall be 10 feet (3048 mm) or more below grade, measured vertically.
- 3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.
- 15.70.105 Appendix J of the 2016 California Building Code, Section J108
 "Setbacks", Subsection J108.1 "General" Amended. Subsection J108.1 of the 2016 California Building Code is amended to read as follows:

J108.1 <u>General</u>. Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be measured perpendicular to the property line and shall be as shown in amended FIGURE J108.1 as shown in this Chapter.

15.70.110 Appendix J of the 2016 California Building Code, Section J108, "Setbacks", Subsection J108.2 "Top of Slope" – Amended. Subsection J108.2 of the 2016 California Building Code is amended to read as follows:

J108.2 <u>Top of slope</u>. The setback at the top of a cut slope shall not be less than that shown in amended Figure J108.1 as shown in this chapter, or than is required to accommodate any required interceptor drains, whichever is greater.

15.70.115 Appendix J of the 2016 California Building Code, Section J108 "Setbacks", Figure J108.1, "Drainage Dimensions" – Amended. Figure J108.1 of the 2016 California Building Code is amended to read as follows:



15.70.120 Appendix J of the 2016 California Building Code, Section J108 "Setbacks", Subsection J108.3 "Slope Protection"—Amended. Subsection J108.3 of the 2016 Building Code is amended to read as follows:

- J108.3 <u>Slope Protection</u>. The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of 2 feet (610 mm) and a maximum of 20 feet (6096 mm). Where a fill slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated in the work as the City Engineer deems necessary to protect the adjoining property from damage as a result of such grading. These precautions may include but are not limited to:
 - Additional setbacks.
 - Provision for retaining or slough walls.
- 3. Mechanical or chemical treatment of the fill slope surface to minimize erosion.
 - Provisions for the control of surface waters.
- 15.70.125 Appendix J of the 2016 California Building Code, Section J109 "Drainage and Terracing", Subsection J109.4 "Drainage across property lines" Amended. Subsection J109.4 of the 2016 California Building Code is amended to read as follows:
 - J109.4 <u>Drainage Across property lines</u>. Surface runoff shall not be permitted to flow from one lot to another, unless proper drainage agreements between affected property owners are executed and submitted to the City Engineer. Such agreements shall be subject to approval by the City Engineer, and recorded prior to issuance of the grading permit.
- 15.70.130 Appendix J of the 2016 California Building Code, Section J109 "Drainage and Terracing", Subsection J109.5 "Surface Run-off Interception" Added. Subsection J109.5 is added to the 2016 California Building Code to read as follows:
 - J109.5 <u>Surface Run-off Interception</u> Surface run-off from new landscaping areas shall be intercepted by and directed to approved drainage facilities.
- <u>15.70.135</u> Appendix J of the 2016 California Building Code, Section J109 "Drainage and Terracing", Subsection J109.6 "Easements and Encumbrances" Added. Subsection J109.6 is added to the 2016 California Building Code is added to read as follows:
 - J109.6 <u>Easements and Encumbrances</u>. For all private water courses where the continuous functioning of the drainageway is essential to the protection and use of multiple properties, a covenant, a maintenance agreement, and/or deed restriction shall be recorded by the applicant, placing the responsibility for the maintenance of the drainageway(s) on the owners of record of each respective lot affected. Permanent off-site drainage easements, as required by the City Engineer, shall be acquired by the applicant. Such easements shall be subject to approval by the City Engineer and recorded prior to issuance of the grading permit.
- 15.70.140 Appendix J of the California Building Code, Section J110 "Erosion Control", Subsection J110.33 "Storm Water Erosion and Sediment" Added. Subsection J110.3 is added to the 2016 California Building Code to read as follows:

J110.3 Stormwater Erosion and Sediment.

- A. Plans for an erosion control system shall be prepared and submitted for the review and approval of the City Engineer as a part of any application for a grading permit. The erosion control system shall comply with the requirements of the latest National Pollutant Discharge Elimination System permit and Chapter 14.22 of this Code to satisfy the requirements for erosion control and eliminate the discharge of sediment and pollutants. The erosion control plan shall include, but not be limited to, the following information:
- Name, address, and a twenty-four-hour phone number of the owner or responsible party, and the person or contractor responsible for installing and maintaining the erosion control system and performing emergency erosion control work;
- 2. The name, address, and signature of the Civil Engineer or person who prepared the plan;
- All desilting basins, debris basins, silt traps, and other desilting, velocity retarding and protection facilities necessary to adequately protect the site and downstream properties from erosion and its effects, preserve natural hydrologic features, and preserve riparian buffers and corridors;
 - The streets, easements, drains, and other improvements;
- 5. The location and placement of gravel bags, diverters, check dams, slope planting, drains, and other erosion controlling devices and measures;
- Access routes to all such erosion control facilities and how access shall be maintained during inclement weather.
 - B. Erosion control system standards shall be as follows:
- 1. The faces of cut-and-fill slopes and the project site shall be prepared and maintained to control against erosion. Where cut slopes are not subject to erosion due to the erosion-resistant character of the materials, such protection may be omitted upon approval of the City Engineer.
- 2. Where necessary, temporary and/or permanent erosion control devices such as desilting basins, check dams, cribbing, riprap, or other devices or methods as approved by the City Engineer, shall be employed to control erosion, prevent discharge of sediment, and provide safety.
- 3. Temporary desilting basins constructed of compacted earth shall be compacted to a relative compaction of ninety percent of maximum density. A gravel bag or plastic spillway must be installed for overflow, as designed by the engineer of work, to avoid failure of the earthen dam. A soils engineering report prepared by the Soils Engineer, including the type of field-testing performed, location and results of testing shall be submitted to the City Engineer for approval upon completion of the desilting basins.
- 4. Desilting facilities shall be provided at drainage outlets from the graded site, and shall be designed to provide a desilting capacity capable of containing the anticipated runoff for a period of time adequate to allow reasonable settlement of suspended particles.
- 5. Desilting basins shall be constructed around the perimeter of projects, whenever feasible, and shall provide improved maintenance access

Adopted:

from paved roads during wet weather. Grading cost estimates must include maintenance and ultimate removal costs for temporary desilting basins.

- 6. The erosion control provisions shall take into account drainage patterns during the current and future phases of grading.
- 7. All removable protective devices shown shall be in place at the end of each working day when there is a fifty percent chance of rain within a forty-eight hour period. If the Permittee does not provide the required installation or maintenance of erosion control structures within two hours of notification at the twenty-four hour number on the plans, the City Engineer may order City crews to do the work or may issue contracts for such work and charge the cost of this work along with reasonable overhead charges to the cash deposits or other instruments implemented for this work without further notification to the owner. No additional work on the project except erosion control work may be performed until the Permittee restores the full amount drawn from the deposit.
- 8. At any time of year, an inactive site shall be fully protected from erosion and discharges of sediment. Flat areas with less than five percent grade shall be fully covered unless sediment control is provided through desiltation basins at all project discharge points. A site is considered inactive if construction activities have ceased for a period of ten or more consecutive days.
- 9. Permittee shall implement the following minimum erosion prevention methods to minimize the erosion potential:
- a. If feasible, Permittee shall grade only during the dry season, especially in areas at high risk for erosion.
- b. Permittee shall minimize the length of time that soils are left exposed to elements of wind and water.
- c. If grading must occur during the rainy season, the total area of exposed soil shall be reduced during the rainy season.
- d. Critical areas, such as drainage channels, streams, and natural watercourses shall be properly protected.
- e. Exposed areas shall be stabilized as quickly as feasible.
- f. Sufficient waste disposal facilities shall be provided for all proposed activities.
- g. Sufficient storage facilities shall be provided for all materials and equipment.
- h. Permittee shall ensure that materials used for erosion and sediment control are on site at all times during the rainy season.
- i. All slopes shall be protected against erosion and any unstable slopes shall be stabilized.
- j. Erosion prevention shall be considered the most important erosion control measure with sediment controls as a backup.
- 10. During Dry Season (May 1 through September 30), Permittee shall implement the following minimum erosion prevention methods to minimize the erosion potential:
- a. Adequate perimeter protection BMPs must be installed and maintained.

- b. Adequate sediment control BMPs must be installed and maintained.
- c. Adequate BMPs designed to control off-site sediment tracking must be installed and maintained.
- d. At a minimum, 125% of the materials needed to install standby BMPs necessary to completely protect exposed portions of the site from erosion and prevent sediment discharges must be stored on the site.
- e. An approved "weather triggered" response plan is mandated for implementation in the event that a predicted storm event has a 50% chance of rain. The proponent must have the capacity to deploy the standby BMPs within 48 hours of the predicted storm event.
- f. All slopes must be equipped with erosion prevention BMPs as soon as slopes are completed for any portion of the site.
- g. Cleared or graded areas left exposed at any given time are limited to the amount of acreage that the project proponent can adequately protect prior to a predicted storm event.
- 11. During Wet Season (October 1 through April 30), Permittee shall implement the following BMPs, in addition to the Dry Season Requirements:
- a. Perimeter protection and sediment control BMPs must be upgraded if necessary to provide sufficient protection for storms.
- b. Adequate erosion prevention BMPs must be installed and established for all completed slopes prior to October 1 and maintained throughout the wet season. If a BMP fails, it must be repaired, improved, or replaced with an acceptable alternate as soon as it is safe to do so.
- c. The amount of exposed soil allowed at one time shall not exceed standby erosion and sediment control BMP capacity.
- d. An incomplete disturbed area that is not being actively graded must be fully protected from erosion if left for 10 days or more.
- 12. BMP Maintenance. All BMPs for erosion prevention and sediment control shall be functional at all times. Prior to the rainy season and after each major storm, all source control and structural treatment BMPs shall be inspected by the Permittee to assure the functionality and effectiveness. Proper BMP maintenance shall be conducted throughout the life of the project.
- 13. No grading shall be allowed from October 1st thru the following April 30th on any site if the City Engineer determines that erosion, mudflow or sediment of silt discharge may adversely affect water quality, downstream properties, drainage courses, storm drains, streets, easements, or public or private facilities or improvements unless an approved erosion control system has been implemented on the site. If the City determines that it is necessary for the City to cause erosion control measures to be installed or cleanup to be done, the Permittee shall pay all of the City's direct and indirect costs including extra inspection, supervision, and reasonable overhead charges.
- 14. Preservation of Natural Hydrologic Features, Riparian Buffers and Corridors. All natural hydrologic features and riparian buffer zones and corridors must be preserved to eliminate or minimize runoff from construction sites.

- 15. Phased Grading. Grading shall be phased whenever the City Engineer finds that phasing is feasible and necessary to protect the Waters of the State. Areas that are cleared and graded shall be minimized to only portions of the site that are necessary for construction, and the exposure time of disturbed soil areas shall be minimized.
- 16. Cleared or graded areas left exposed at any given time are limited to the amount of acreage that the project proponent can adequately protect prior to a predicted storm event or 17 acres, whichever is smaller, unless the disturbance of a larger area is approved in writing by the City engineer. In the event that a project proponent requests approval to disturb an area greater than 17 acres, the project proponent shall first submit to the City Engineer, written documentation describing how it will ensure that discharges of pollutants are reduced to the Maximum Extent Practicable (MEP) and prevents discharges of pollutants that would cause or contribute to a violation of water quality standards despite the larger disturbed area.

17. Advanced Treatment.

- a. Treatment for sediment is required. For the purpose of this requirement, exceptional threat to water quality shall be defined as a site, which meets all of the following, except as provided in number 16 above:
- A portion of the site is located within or directly adjacent to receiving waters listed on the CWA Section 303(d) list of Water Quality Limited Segments as impaired for sedimentation or turbidity;
- 2. Disturbance is greater than five acres, including all phases of the development;
- Disturbed slopes are steeper than 4:1 (horizontal: vertical), higher than 10 feet, and drain to the 303(d) listed receiving water;
- 4. Contains a predominance of soils with USDA-NRCS Erosion factors if greater than or equal to 0.4.

Alternatively, applicants may perform a RUSLE or MUSLE analysis to prove to the City Engineer's satisfaction that advanced treatment is not required.

- b. Even if based on the criteria in number 16, above, advanced treatment would not ordinarily be required, advanced treatment may be required at the discretion of the City Engineer based on a record of noncompliance.
- c. Treatment effluent water quality shall meet or exceed the water quality objectives for turbidity, pH, toxicity, and any other parameter deemed necessary by the City Engineer, as listed in the Water Quality Control Plan for the San Diego Basin for inland surface waters and lagoons and estuaries for the appropriate hydrologic unit.
- d. Applicant shall provide design, operations and maintenance schedule, monitoring plan, certification of training of staff to the satisfaction of the City Engineer.
 - 18. Establishment of Permanent Vegetation.
- a. General. The face of all cut and fill slopes, in excess of 3 feet in vertical height, but only final slopes of any borrow pit, shall be planted

and maintained with a ground cover or other planting to protect the slopes against erosion and instability. Planting shall commence as soon as slopes are completed on any portion of the site and shall be established upon all slopes prior to the final approval of the grading. In order to minimize the period during which a cut or filled surface remains exposed, such planting shall provide for rapid short-term coverage of the slope as well as long-term permanent coverage. Planting materials and procedures shall conform to regulations adopted by the City Engineer. The City Engineer may approve other plant materials as specified by a landscape architect. The Permittee shall maintain such planting until it is well established as determined by the City Engineer.

- b. Minimum Requirements. In addition to planting with ground cover, slopes in excess of fifteen (15) feet in vertical height shall be planted with shrubs in 2 1/4 inch pots or trees having a one (1) gallon minimum size at ten (10) feet on center in both directions on the slope. The City Engineer may vary the plant and planting pattern, but not the quantity, upon the recommendation of landscape architect and approval.
- c. Where cut slopes are not subject to erosion due to their rocky character or where the slopes are protected with pneumatically applied concrete mortar or otherwise treated to protect against erosion and instability to the satisfaction of the City Engineer, the requirement of this subsection may be waived by the City Engineer.
- d. The City Engineer may require the applicant to temporarily stabilize and reseed disturbed soil areas to protect the Waters of the State. If grass or ground cover is not established by the beginning of the wet season, temporary erosion control measures such as erosion control mats or blankets shall be installed on the slopes. If grass or ground cover is not established by the beginning of the wet season, temporary erosion control measures such as erosion control mats or blankets shall be installed on the slopes.
 - 19. Irrigation System Requirements.
- a. General. Except for agricultural grading permits, all slopes to be constructed, but only final slopes of any borrow pit, shall be provided with an irrigation system which shall be used by the Permittee to promote the growth of plants to protect the slopes against erosion. The Permittee shall be responsible for installation and maintenance of the irrigation system until the City Engineer determines that the system has been properly installed and meets the minimum requirements of this section. When the City Engineer finds that a slope less than fifteen (15) feet in height is located in an area as to make hand watering possible, conveniently located hose bibs may be accepted in lieu of the required irrigation system when a hose no longer than fifty (50) feet would be required.
- b. Minimum Requirements (1) Plans for the irrigation system shall be in accordance with San Diego Regional Standard Specifications for Sprinkler Irrigation Systems and shall be approved by the National City. City Engineer prior to installation. (2) The irrigation system shall be located relative to existing and proposed property lines to insure that the irrigation system and the slopes sprinkled thereby will both be within the same property boundaries. The irrigation system shall be supplied or be readily converted so as to be supplied

through the metered water service line serving each individual property. (3) The irrigation system shall provide uniform coverage for the slope area at a rate of not less than 0.03 inches per hour, nor greater than 0.30 inches per hour. A functional test of the irrigation systems shall be performed to the satisfaction of the City Engineer prior to final approval of the grading. (4) A check valve and balance cock shall be installed in the system where drainage from sprinkler heads will create an erosion problem. (5) Adequate back flow protection devices shall be installed in each irrigation system. Such devices shall be protected against physical damage during construction operations.

- 20. Waiver Of Planting And Irrigation Requirements. The City Engineer may modify or waive the requirements for planting and/or irrigation systems if he/she finds that said requirements would be unreasonable or unnecessary for any of the following reasons: (a) the area is subject to periodic inundation, or (b) water is unavailable to the area such that irrigation would be impractical or impossible, or (c) the area is naturally devoid of vegetation.
 - 21. General Construction Permit Requirements.
- a. Notice of Intent. Permittees required to comply with the State Construction General Storm Water Permit shall maintain on site and make available for inspection on request by the City any state-issued Waste Discharge Identification Number (WDID) for the site, and a copy of the Notice of Intent (NOI) filed with the State Water Resources Control Board (SWRCB) pursuant to that permit.
- b. Storm Water Pollution Prevention Plan. Permittees required to prepare a SWPPP under the State General Construction Storm Water Permit must prepare the Plan, implement the Plan and maintain it at the site, readily available for review. Failure to comply with an applicable state-required SWPPP is a violation of this Chapter.
- c. Facility Monitoring. Permittees required to conduct monitoring under the State Construction General Storm Water Permit must conduct such monitoring in conformance with requirements specified by the State, retain records of such monitoring on site, and make such records available for inspection by the City Engineer.
- <u>15.70.145</u> Grading fees. The plan review and permit fees shall be assessed in accordance with the current City of National City Fee Schedule.
- 15.70.146 Work commencing prior to permit issuance Added. Any person who commences any work where an engineering permit is required prior to obtaining the necessary permits shall be subject to an administrative penalty fee equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The administrative penalty fee is in addition to a permit fee. The payment of such administrative penalty shall not exempt any person from compliance with all other provisions of this code or from any penalty prescribed by law.
- <u>15.70.150</u> Completion of work. Final approval shall not be given, grading securities shall not be released, and a notice of completion or certificate of use and occupancy shall not

be issued, until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports and the as-built plans have been submitted.

15.70.155 Rough grading permit. When grading is to be performed on a property for which no prior site development plans have been approved, and on which no other construction is proposed, the applicant shall obtain special approval of the City Engineer, as well as the principal planner for such grading. The rough-grading permit thus issued shall be subject to the special requirements of both the city engineer and the principal planner.

<u>15.70.160</u> Parking lots. Existing or new parking lots, which are exempted from the requirements of a grading permit, shall be paved or resurfaced in accordance with an approved drainage plan.

<u>15.70.165</u> Bonds. The city engineer shall require a surety bond in the amount of one hundred percent (100%) of the engineers' cost estimate to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate any potentially hazardous conditions.

In lieu of a surety bond the applicant may file a cash deposit or instrument of credit with the city engineer in an amount equal to that which would be required in the surety bond.

<u>15.70.170</u> <u>Violation a misdemeanor</u>. Any person who commences or does any grading in violation of this chapter is guilty of a misdemeanor. Every day that a violation of this chapter is committed, continued or permitted to exist is a separate violation, punishable as provided in this code.

15.70.175 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc board of appeals comprised of three (3) members who are qualified by experience and training to pass judgment upon matters pertaining to building codes, regulations, and ordinances, and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The Board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the City Engineer. Decisions of the board may be appealed to the City Council by the appellant or by the City Engineer within thirty (30) days of the decision of the board, by the filing of a written notice of appeal with the City Engineer stating the reasons for the appeal. The person filing the appeal and the opposing party shall be given at least ten (10) days' notice of the time and place of the hearing on the appeal.

PASSED and ADOPTED this	day of	, 2016.	
	Ron M	orrison. Mavor	

ATTEST:	APPROVED AS TO FORM:		
Michael R. Dalla, City Clerk	George H. Eiser, III		
	Interim City Attorney		

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Green Code. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: AGENDA ITEM NO. January 17, 2017 ITEM TITLE: An Ordinance of the City Council of the City of National City adopting the 2016 California Green Code. In addition to all Appendices related to these codes. PREPARED BY: Luis Sainz/Building Official **DEPARTMENT:** Building PHONE: |336-4214| APPROVED BY **EXPLANATION:** This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Green Code. A copy of the 2016 California Green Code is on file in the Building Official's office. State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions. FINANCIAL STATEMENT: APPROVED: Finance ACCOUNT NO. N/A APPROVED: **ENVIRONMENTAL REVIEW:** N/A ORDINANCE: INTRODUCTION: FINAL ADOPTION: X STAFF RECOMMENDATION: Adoption **BOARD / COMMISSION RECOMMENDATION:** N/A **ATTACHMENTS:** Explanation

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Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

15.08.075 Chapter 1, Division II, Section 113 "Board of Appeals", Subsection 113.1 "General" – Amended. Section 113.1 of the 2016 California Code is amended to read as follows:

Section 113.1 <u>Board of Appeals.</u> In order to hear and decide appeals of orders, decisions, or determinations of the Building Official relative to the application and interpretation of this code, the City Council shall appoint an ad hoc Board of Appeals comprised of three (3) members who are qualifies by experience and training to pass upon matters pertaining to building construction and who are not employees of the City. Board members shall serve at the pleasure of the City Council. The board shall comply with Rosenberg's Rules of Order in conducting their business, and shall render written decisions and findings to the appellant with a copy to the Building Official within thirty (30) days of the decision of the Board, by the filling of a written notice of appeal with the Director of Emergency Services stating the reasons for the appeal. The person filling the appeal and the opposing party shall be given at least ten (10) days' written notice of the time and place of the haring on the appeal.

Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Mechanical Code. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: AGENDA ITEM NO. January 17, 2017 ITEM TITLE: An Ordinance of the City Council of the City of National City adopting the 2016 California Mechanical Code. In addition to all Appendices related to these codes. PREPARED BY: Luis Sainz/Building Official **DEPARTMENT:** Building PHONE: |336-4214 APPROVED BY **EXPLANATION:** This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Mechanical Code. A copy of the 2016 California Mechanical Code is on file in the Building Official's office. State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions. FINANCIAL STATEMENT: APPROVED: **Finance** ACCOUNT NO. N/A APPROVED: ENVIRONMENTAL REVIEW: N/A FINAL ADOPTION: X ORDINANCE: INTRODUCTION: STAFF RECOMMENDATION: Adoption **BOARD / COMMISSION RECOMMENDATION:** N/A **ATTACHMENTS:**

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Explanation

Staff Report on the Adoption of the 2016 California Building Standards Code

The California Health and Safety Code Section 17922 requires that each jurisdiction in the state adopt the most recent edition of the California Building Standards Code within 180 days of publication. If it is not adopted by a jurisdiction it has the force of law 180 days after publication. A jurisdiction may propose amendments, addition and deletions to those codes. When adopting the California Building Standards Code a jurisdiction may establish more restrictive standards reasonably necessary based on climatic, geological and topographical conditions.

This year the California Building Standards Commission published the 2016 California Building Standards Codes which are based on the 2015 International Building Code, 2015 International Residential Code, 2015 Uniform Mechanical Code, 2014 National Electrical Code and the 2015 Uniform Plumbing Code.

The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

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Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Plumbing Code. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

AGENDA ITEM NO. MEETING DATE: January 17, 2017 ITEM TITLE: An Ordinance of the City Council of the City of National City adopting the 2016 California Plumbing Code. In addition to all Appendices related to these codes. PREPARED BY: Luis Sainz/Building Official **DEPARTMENT:** Building APPROVED BY: PHONE: 336-4214 **EXPLANATION:** This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Plumbing Code. A copy of the 2016 California Plumbing Code is on file in the Building Official's office. State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions. APPROVED: **Finance** FINANCIAL STATEMENT: APPROVED: MIS ACCOUNT NO. N/A **ENVIRONMENTAL REVIEW:** N/A FINAL ADOPTION: X ORDINANCE: INTRODUCTION: STAFF RECOMMENDATION: Adoption **BOARD / COMMISSION RECOMMENDATION:**

ATTACHMENTS:

Explanation

N/A

Staff Report on the Adoption of the 2016 California Building Standards Code

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The Building Division recommends adoption of the 2016 California Building Codes with the following change to the National City Municipal Code, Chapter 15.04, Section 15.08.075 pertaining to the City Council's Authority under Title 15.

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The following page(s) contain the backup material for Agenda Item: An Ordinance of the City Council of the City of National City adopting the 2016 California Residential Code. In addition to all Appendices related to these codes. (Fire/Building)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: AGENDA ITEM NO. January 17, 2017 ITEM TITLE: An Ordinance of the City Council of the City of National City adopting the 2016 California Residential Code. In addition to all Appendices related to these codes. PREPARED BY: Luis Sainz/Building Official **DEPARTMENT:** Building PHONE: 336-4214 APPROVED BY **EXPLANATION:** This report is intended to provide the Mayor and City Council with a brief over-view of significant technical changes to the 2016 California Residential Code. A copy of the 2016 California Residential Code is on file in the Building Official's office. State law requires that the City of National City adopt the same model codes as the State of California and limit technical amendments to those necessitated due to local topographical, geographical, or climatic conditions. Specific findings regarding local technical amendments must be made by the local jurisdiction and filed with the Department of Housing and Community Development. State law does not restrict local amendments to the administrative provisions of the codes. In order to simplify construction in National City, staff is recommending that the code be adopted with minimal revisions. FINANCIAL STATEMENT: APPROVED: **Finance** ACCOUNT NO. N/A APPROVED: MIS **ENVIRONMENTAL REVIEW:** N/A FINAL ADOPTION: X ORDINANCE: INTRODUCTION: STAFF RECOMMENDATION: Adoption **BOARD / COMMISSION RECOMMENDATION:** N/A

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ATTACHMENTS:

Explanation

Staff Report on the Adoption of the 2016 California Building Standards Code

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Upcoming actions will include a Public Hearing and Final Adoption of the Ordinances, currently scheduled for the City Council Meeting on January 17, 2017.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving a Conditional Use Permit for a craft beer tasting room (Embarcadero Brewing) to be located at 340 West 26th Street, Suite "D". (Applicant: Jorge Molina) (Case File 2016-21 CUP) (Plannin

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE:	January 17, 2017		AGENDA ITEM NO.
ITEM TITLE:	City Council of the City of N	ational City and a constitution of the	
beer tasting room	city Council of the City of No (Embarcadero Brewing) to l se File 2016-21 CUP)	ational City approving a Conditi be located at 340 West 26 th Si	ional Use Permit for a craft treet, Suite "D". (Applicant:
PREPARED BY:	Martin Reeder, AICP	DEPARTMENT	Planning.
PHONE: 336-4313		APPROVED BY	
EXPLANATION:			13
Council asked sta Approval presente and 9. The waived on site (No. 8) and	aff to return with a resolution ed at the public hearing, included I conditions required that total	n this item at the December 6, 2 n of approval based on the re- ding the waiver of the recomme alcohol sales not exceed total s e with the sale of food (No. 9).	commended Conditions of ended conditions number 8
FINANCIAL STATI	EMENT:	APPROVED:	Finance
ACCOUNT NO.		APPROVED:	MIS
ENVIRONMENTAL	REVIEW:		
	npt pursuant to Class 1 Section	n 15301 (Existing Facilities)	
ORDINANCE: IN	TRODUCTION: FINAL	ADOPTION:	
STAFF RECOMME	NDATION:		
Adopt the Resoluti	ion		
POARD / COMMIS	SION DECOMMENDATION.		
BOARD / COMINIS	SSION RECOMMENDATION:		
l'			
ATTACHMENTS:		*	
Resolution			
1,000/duol1			

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving the vacation of 250 feet of "A" Avenue located south of East 28th Street and north of East 29th Street. (Applicant: Frank Motors) (Case File No. 2013-23 SC) (Planning)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

January 17, 2017	AG	SENDA ITEM NO.
ITEM TITLE:		
Resolution of the City Council of the City of National located south of East 28 th Street and north of East 29 th 23 SC).	City approving the vacation of 250 Street. (Applicant: Frank Motors)	0 feet of "A" Avenue (Case File No. 2013-
PREPARED BY: Martin Reeder, AICP	DEPARTMENT: Plann	infla:
PHONE: 619-336-4313	APPROVED BY:	
EXPLANATION:		7)
The City Council held public hearings between I December 16 th meeting the Council asked staff to (closure) based on findings for approval presented at	oring back a resolution to approv	e the street vacation
The attached resolution is needed to take action on the	ne item.	
The Order to Vacate will be brought back on a subsesseure funding for the required traffic signal, which number 22 allows for the Subaru Superstore to be vacation and for the new traffic signal to be installed a	is only necessary if "A" Avenue completed and opened for busing	is vacated. Condition
FINANCIAL STATEMENT:	APPROVED:	Finance
ACCOUNT NO.	APPROVED:	MIS
ENVIRONMENTAL REVIEW:		
Exempt pursuant to CEQA, Section 15305 (Minor Altera	tions in Land Use Limitations)	
ORDINANCE: INTRODUCTION: FINAL ADO	PTION:	
STAFF RECOMMENDATION:		
ROADD / COMMISSION DECOMMENDATION		
BOARD / COMMISSION RECOMMENDATION: Exempt pursuant to CEOA Section 15305 Minor Alteret	iono in Land Haa Limitatiana Olaas	F 70 1 1 1
Exempt pursuant to CEQA, Section 15305 Minor Alterat alley vacation do not result in any changes in land use.	ons in Land Ose Limitations, Class	5. The street and
ATTACHMENTS:		
Resolution		

The following page(s) contain the backup material for Agenda Item: Presentation of draft ranking of nonconforming uses in the Westside Specific Plan area and commencement of 60-day public review period for purposes of the affirmative termination by amortization of nonconforming uses. (Planning)

CITY OF NATIONAL CITY, CALIFORNIA CITY COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:

Presentation of draft ranking of nonconforming uses in the Westside Specific Plan area and commencement of 60-day public review period for purposes of the affirmative termination by amortization of nonconforming uses. (Planning)

PREPARED BY: Raymond Pe

PHONE: 4421



DEPARTMENT: Planning APPROVED BY:

EXPLANATION:

On April 19, 2016, the City Council directed staff to proceed with the ranking update and amortization of nonconforming uses in the Westside Specific Plan area. The draft ranking is an initial step in the process to implement the termination by amortization of nonconforming uses in the Westside Specific Plan area. After a 60-day public review period, the draft ranking would be revised as needed and finalized to reflect any new information received. Pursuant to Council direction, staff will meet with property and business owners of the top ten on the final ranking and proceed with the amortization of up to five nonconforming uses depending on available resources. The consultant budget and scope of work allows for the amortization of up to five nonconforming uses. The Planning Commission would hold a public hearing to consider the affirmative termination of nonconforming uses before making a recommendation to the City Council, which would also hold a public hearing before taking final action to order the termination of any nonconforming uses.

FINANCIAL STATE Not Applicable.	<u>MENT</u> :	APPROVED:	Finance
ACCOUNT NO.			
	s required under the Califorr onsidered a project that has	nia Environmental Quality Act since the potential to result in either a direct	
ORDINANCE:	INTRODUCTION:	FINAL ADOPTION:	

STAFF RECOMMENDATION:

Direct staff to: 1) provide notice to property/business owners of the top 20 nonconforming uses on the draft ranking; 2) commence a 60-day public review period of the draft ranking; 3) revise the draft ranking as needed; 4) meet with the top 10 on the final ranking; 4) and proceed with the amortization of up to 5 nonconforming uses.

BOARD / COMMISSION RECOMMENDATION:

Not Applicable.

ATTACHMENTS:

- 1. Background Report.
- 2. Draft Ranking.

ATTACHMENT 1

BACKGROUND REPORT

In 2006, Council adopted an ordinance (NCMC 18.11.100.D) providing for the affirmative termination of nonconforming uses by amortization. In 2010, Council adopted the Westside Specific Plan with new zoning resulting in the creation of a number of nonconforming uses that previously had been established under earlier zoning. In 2011, Council approved the amortization ranking process, which was developed by the U.S. Environmental Protection Agency in collaboration with the City and stakeholders.

In 2012, Council initiated the first use of the ranking process to create a prioritized list of nonconforming uses. Subsequently, staff met with property and business owners of the top ten on the ranking and recommended the affirmative termination of two of the nonconforming uses. In 2013, after public hearings and recommendations from the Planning Commission, Council approved amortization periods for the two nonconforming uses. In 2015, the property and business owners complied with the Council orders to terminate the nonconforming uses, and the properties are now in compliance with zoning in the Westside Specific Plan.

On April 19, 2016, Council directed staff to proceed with an update of the ranking and to continue with the amortization of nonconforming uses in the Westside Specific Plan area. The draft ranking has been completed, and staff is recommending commencement of a 60-day public review period followed by meetings with the top ten on the final ranking and the amortization of up to five nonconforming uses. The estimated timeline for the amortization process is as follows:

- January 2017 Release draft ranking of nonconforming uses for 60-day public review.
- January to March 2017 Receive public input and update draft ranking as needed.
- March 2017 Finalize ranking.
- March to April 2017 Meet with property and business owners of the top ten ranking nonconforming uses.
- April/May 2017 Planning Commission public hearing and recommendation to City Council to consider the affirmative termination by amortization of up to five nonconforming uses.
- May/June 2017 City Council public hearing and consideration of Planning Commission recommendation.
- June/July 2017 City Council consideration of resolution ordering the affirmative termination by amortization of nonconforming land uses.
- June/July 2017 Amortization period for nonconforming uses commences with the orders to terminate.

DRAFT AMORTIZATION RANKING TOP 20 NON-CONFORMING USES

				Score		Nov. 3, 2016	
	Group Weights		0.400	0.600	1.000		
APN	Name	Address	Business Operation Score	Neighborhood Impact Score	Ranking Score	Rank Order	
559-105-01	Southland Transmission and Residential	1905 Wilson Ave, #7	81	57	67	1	
560-143-37	Jose's Auto Electric	105 W. 18th St	82	56	66	2	
560-202-01	S&S Welding Corporation	140 W. 18th St	80	53	64	3	
559-085-05	M&T Auto Repair Automatic Transmissions	1731 Wilson Ave	66	57	61	4	
559-104-14	Momax Truck Driving School	302 W. 19th St, Suite C	61	56	58	5	
560-143-27	Southland Auto Body	141 W. 18th St	73	45	56	6	
559-084-12	DeFrance Printing	320 W. 17th St	62	51	55	7	
559-064-16	Loya Contractors	339 W. 16th St	87	28	52	52 8	
560-142-14	West Coast Truck Service	201 W. 18th St	52	46	48	9	
560-065-08	San Diego Medical Transportation	1516 Roosevelt Ave	67	36	48	10	
560-061-13	Southland Transmission / Baxter's Machine Shop	1400 Hoover Ave	77	29	48	11	
555-111-07	E-Z Spring and Stamping	231 W. 11th St	72	31	48	12	
560-142-09	C&W Diving Services, Inc./West Diving Services	1706 Hoover Ave	56	42	48	13	
559-101-02	Horn's Welding	1840 Wilson Ave	60	38	47	14	
559-033-02	Transmission Supply & Rebuild	338 W. 12th St	64	35	47	15	
559-032-11	SAF Collision Center, Inc	420 W. 12th St	64	35	47	16	
560-202-09	Greenwald's Autobody and Frameworks	1814 Roosevelt Ave	60	37	46	17	
555-104-14	Puppet Safari	326 W. 11th St	74	27	46	18	
555-105-13	Dan Fab	1110 Harding Ave	74	27	46	18	
560-065-10	Cuevas (Unpermitted business, unknown)	104 W. 15th Street	66	32	46	20	

The following page(s) contain the backup material for Agenda Item: Request by Alliance San Diego for the City Council to pass a Resolution in Support of Creating a Welcoming Community for All Residents. (City Manager)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE:	January 17, 2017		AGENDA ITEM NO.
ITEM TITLE:			
Request by Allian Community for All	ce San Diego for the City Council Residents	to pass a Resolution in Support o	of Creating a Welcoming
PREPARED BY:	Leslie Deese, City Manager	DEPARTMENT:	City Manager
PHONE:	619.336.4240	APPROVED BY:	4.90_
EXPLANATION:			
agenda item on C The request is fro City to be a Welco	6, 2016 City Council meeting, Coureating a Welcoming Community, m the organization Alliance San Doming City that serves and protect to is a community empowerment o	previously the Building Welcomir iego to consider a resolution that s its residents regardless of their	ng Communities Campaign. in part, declares National immigration status.
FINANCIAL STAT		APPROVED:	Finance
ACCOUNT NO. I	WA .	APPROVED:	MIS
ENVIRONMENTA N/A ORDINANCE: IN		ADOPTION:	
Residents	ENDATION: nsider a request to adopt a resoluti SSION RECOMMENDATION:	on in support of creating a Welco	eming Community for All
 Draft resol Resolution 	equest from Alliance San Diego ution in support of creating a welc of support from the City of Seattle mation on Local Options for Protect	e, Washington	S

245 of 321



January 4, 2017

National City City Council 1243 National City Blvd. National City, CA 91950

Re: Creating a Welcoming Community for All Residents

Dear Mayor Ron Morrison and Esteemed Council Members,

On behalf of Alliance San Diego, a community empowerment organization with a voter base of 80,000, I write to ask the City Council to pass a resolution that declares National City to be a Welcoming City that serves and protects its residents.

immigrants and refugees have long enriched the city of National City. According to the US Census Data, National City is home to nearly 25,000 immigrants and refugees, who represent nearly two out of every five of the city's residents and approximately 71% of all house holds speak a language other than English at home. These community members grow businesses, strengthen the economy, create jobs, and serve as leaders in churches, organizations, schools and other community venues. We are grateful that National City has long recognized this and has been a leader in the border region when it comes to building trust with the immigrant community.

Unfortunately, over the last two years, we have heard an increase in hateful rhetoric from public figures directed towards immigrant and refugee communities, and seen a number of anti-immigrant and anti-refugee legislation at the federal level. Locally, our partners have also witnessed an increase in hate crimes and hate speech. Such incident are creating fear in our communities, and further isolating immigrants and refugees, a fear that is only exacerbated by campaign promises that threaten deportation and separation of families.

Additionally, in the border region, national policies that direct federal agencies, including Customs and Border Protection (CBP) and Immigration Customs Enforcement (ICE), lead to racial profiling, and the infringement of civil rights, diminishing the quality of life of residents in National City. The Department of Homeland Security, which houses CBP and ICE, is exempt from the federal guidelines on racial and identity profiling established by the Department of Justice, which makes individuals in our region vulnerable to profiling activities that have been rejected in our state and across the nation. CBP is also able to stop individuals at checkpoints within 100 miles of the border, and enter onto private property within 25 miles of the border, without establishing suspicion of wrongdoing as is normally required under the Fourth Amendment. Immigration officers are allowed to engage in warrantless interrogations of a "person believed to be an alien", further contributing to fear in our communities.

Attlance San Diego is a California don profit organization | Tax ID 26-1712580 | 0.6% 17766 | sandrago (249)tt

WWW.ALLIANCESD.ORG



Given the current political climate and the unique circumstances of being a border region, we feel that now more than ever it is important for local officials to take a public stance to protect their community members from the hateful rhetoric, anti-immigrant and anti-refugee legislation at the national level, and border policies that infringe upon the civil rights of their residents. By passing a resolution that declares National City a Welcoming City, ensuring that city employees will not inquire after an individual's immigration status, guaranteeing that city services are accessible to all residents regardless of their immigration status, and taking a stance against federal policies that infringe upon the rights of border residents, it sends a strong message to residents that the contributions of immigrants and refugees are important, and that all residents, regardless of where they come from, are welcome in National City.

Thank you for your consideration. We appreciate your commitment to immigrant families and leadership in making our region one where all community members are able to thrive.

Sincerely,

Christian Ramirez

Human Rights Director,

National City Council Resolution in Support of Creating a Welcoming Community for All Residents

WHEREAS, National City has a rich and proud history of diversity that has been shaped by the cultural and economic contributions of immigrants from around the world, and immigrants and refugees continue to be vital to our shared prosperity as a City;

WHEREAS, National City is home to nearly 25,000 immigrants and refugees, which represents nearly two out of every five of the city's residents, and approximately 71% of all households speak a language other than English at home;

WHEREAS, the City of National City is uniquely situated in the heart of a booming binational region, just miles from the world's busiest land border crossing, which has fostered economic, social, and cultural ties across the border;

WHEREAS, in the border region, national policies that direct federal agencies, including Customs and Border Protection and Immigration and Customs Enforcement, lead to racial profiling and the infringement of civil rights, diminishing the quality of life of residents in National City;

WHEREAS, the City of National City recognizes that all people are deserving of assurance of the basic principles of equity and human rights, guaranteed to all people by the United States Constitution and the Bill of Rights;

BE IT RESOLVED, that the City of National City declares National City to be a Welcoming City that serves and protects its residents by ensuring that employees of National City will not inquire into the immigration status of any resident and will serve all residents, and that city services will be accessible to all residents, regardless of immigration status;

BE IT FURTHER RESOLVED that City Council directs City departments and urges local businesses, and charitable organizations to work with refugee and immigrant organizations to help provide services to families relocating to the City of National City and integrating into our communities;

AND BE IT FURTHER RESOLVED that the City of National City calls upon the President and Congress to do the following:

- 1. LIMIT POWERS WITHOUT WARRANT by enacting legislation that amends 8USC 1357 (a) to reflect the same limitations on warrantless law enforcement activities that apply across the country and adhere to constitutional protections.
- 2. LIMIT JURISDICTION within which officers can exercise the limited power without warrant by amending federal regulation 8 CFR 287.1 to a distance by what is strictly necessary, is supported by clear, articulable facts related to national security, and is determined in consultation with local government and local communities through public hearings.

3. LIMIT PROFILING by issuing new agency guidance or enacting legislation that prohibits profiling in all routine immigration enforcement, without exception for the border region, and clarifies the limits on profiling in a non-routine enforcement.



Office of the Mayor City of Seattle Edward B. Murray, Mayor

Executive Order 2016-GG: An Executive Order reaffirming existing policies and providing guidance to City employees on protecting immigrants' access to police protection and public services and establishing an "Inclusive and Equitable City Cabinet" to coordinate city efforts to protect the civil liberties and civil rights of all Seattle residents.

WHEREAS, Seattle is a welcoming city that serves and protects its residents regardless of their immigration status; and

WHEREAS, in Seattle, all people, including immigrants, are valued contributors and are vital to our shared prosperity; and

WHEREAS, Seattle fosters a culture and policy environment that makes it possible for Seattle to be a vibrant, global city where our immigrant and refugee residents can fully participate in and be integrated into the social, civic, and economic fabric of their adopted city; and

WHEREAS, nearly one in five Seattle residents is an immigrant or refugee and 129 languages are spoken in our public schools; and

WHEREAS, Washington's population grew by 40,000 unauthorized residents between 2009 and 2014, making our state one of just six in the country with a growing unauthorized population during a time when numbers have decreased nationally; and

WHEREAS, Washington is the country's 8th largest refugee-receiving state and a majority of the estimated 3,000 new arrivals each year are re-settled in Seattle-King County; and

WHEREAS, 100,000 Muslim residents are proud to call Washington their home and live peacefully as our neighbors, colleagues, and friends; and

WHEREAS, more than 28,000 unauthorized youth in Washington received temporary status through the Deferred Action for Childhood Arrivals (DACA) program and they deserve an opportunity to have a bright future and to contribute their time and talent to make Seattle a city of innovation and growth;

NOW THEREFORE, I, EDWARD B. MURRAY, Mayor of Seattle, hereby reaffirm the City's commitment to be a welcoming city for all Seattle residents by ordering the following actions:

Section 1. City employees will not ask about immigration status. Seattle Ordinance 121063 passed in 2003 instructs all City employees to refrain from inquiring about the immigration status of any person except police officers where police officers have a reasonable suspicion that a person is committing or has committed a felony criminal-law violation.

Section 2. City employees will serve all residents and city services will be accessible to all residents, regardless of immigration status. Seattle Resolution 30672 passed in 2004 reaffirms Ordinance 121063 and states that City agencies and law enforcement cannot withhold services based on several identities, including ancestry, race, ethnicity, national origin, color, age, sex, sexual orientation, gender variance, marital status, physical or mental disability, or religion.

Section 3. City employees will defer detainer requests from the U.S. Department of Homeland Security's Immigration and Customs Enforcement (ICE) to King County. Because jails are in King County's jurisdiction and enforcing civil federal immigration violations are in the purview of the U.S. Department of Homeland Security, City department directors are hereby directed to comply with the City's practice to defer to King County on all ICE detainer requests. King County Ordinance 17886 passed in 2014 clarifies that the County will only honor ICE detainer requests that are accompanied by a criminal warrant issued by a federal judge or magistrate.

Section 4. City department directors will use tools at their disposal, including meetings and trainings, to direct their staff to comply with the City's and County's policies described above. A communication will be issued by City departments to their staff by January 31, 2017.

Section 5. City departments will issue a letter to all contractors receiving General Fund dollars to clarify and inform about the policies described above. A communication will be issued by City departments to their contractors by January 31, 2017.

Section 6. An "Inclusive and Equitable City Cabinet" is hereby established. Deputy Mayor Hyeok Kim shall lead and coordinate efforts across City departments and provide oversight and evaluation of outcomes.

- a. The following Departments shall be primary members of the "Inclusive and Equitable City Cabinet":
 - Seattle Police Department
 - Office of Civil Rights
 - Office of Immigrant and Refugee Affairs
 - Department of Neighborhoods
 - Office of Economic Development
 - Office of Policy and Innovation
 - City Budget Office
 - Office of Intergovernmental Relations
 - Department of Education and Early Learning
 - Seattle Human Services Department
 - Office of Labor Standards
 - Seattle City Attorney's Office (Ex-Officio)

b. The goal of the "Inclusive and Equitable City Cabinet" will be to coordinate City efforts to protect the civil liberties and civil rights of all Seattle residents and provide supportive services and information as necessary to communities of color, people with disabilities, women, LGBTQ residents, people who are low-income, immigrants and refugees in light of potential changes in Federal Government policy and operations.

Section 7. The "Inclusive and Equitable City Cabinet" is hereby directed to implement the following:

- a. Develop a programmatic investment strategy for \$250,000 in funding included in the 4th Quarter Supplemental Budget of 2016 to directly address the needs of unauthorized immigrant children and family members within the Seattle Public Schools system.
- Develop a comprehensive public awareness effort around anti-hate speech and hate crimes.
- c. Conduct a comprehensive review of potential implications on City Departments – policy or financial – given direction and available information about any new initiatives and intent of the incoming Presidential administration.
- d. Collaborate with immigrant and refugee community stakeholders and community based organizations to identify any new or expanded efforts for partnership with the City and specifically the Office of Immigrant and Refugee Affairs and identification of priority needs.
- e. Develop a forum for regional coordination with other cities in King County as well as Pierce and Snohomish Counties to share knowledge and information about the City's efforts.
- f. Develop a specific agenda and action plan for the Mayor to take to the West Coast Mayor's Summit in San Francisco in December and to the US Conference of Mayors in Washington DC in January to build a coalition of inclusive and equitable cities in support of immigrants and their civil rights and civil liberties.

Inquiries by City departments and offices regarding this Executive Order should be directed to Deputy Mayor Hyeok Kim at (206) 684-5360.

Dated this 23rd day of November, 2016

Edward B. Murray Mayor of Seattle

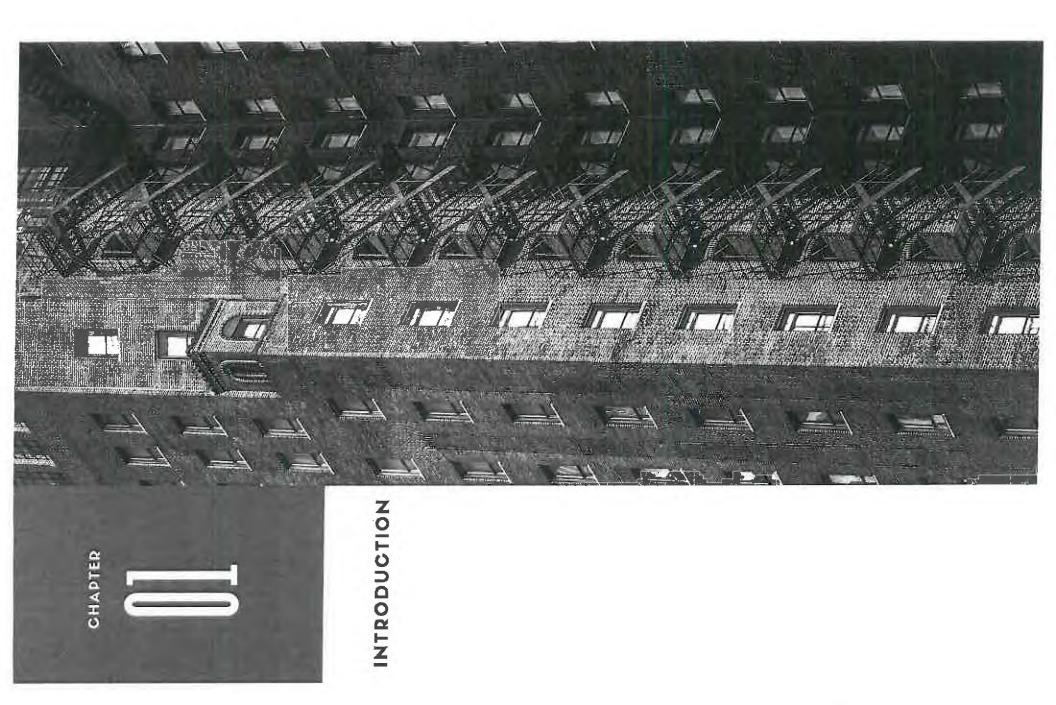
LOCAL OPTIONS FOR PROTECTING IMMIGRANTS

A COLLECTION OF CITY & COUNTY POLICIES TO PROTECT IMMIGRANTS FROM DISCRIMINATION AND DEPORTATION LENA GRABER | ANGIE JUNCK | NIKKI MARQUEZ



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LOCAL OPTIONS FOR PROTECTING IMMIGRANTS

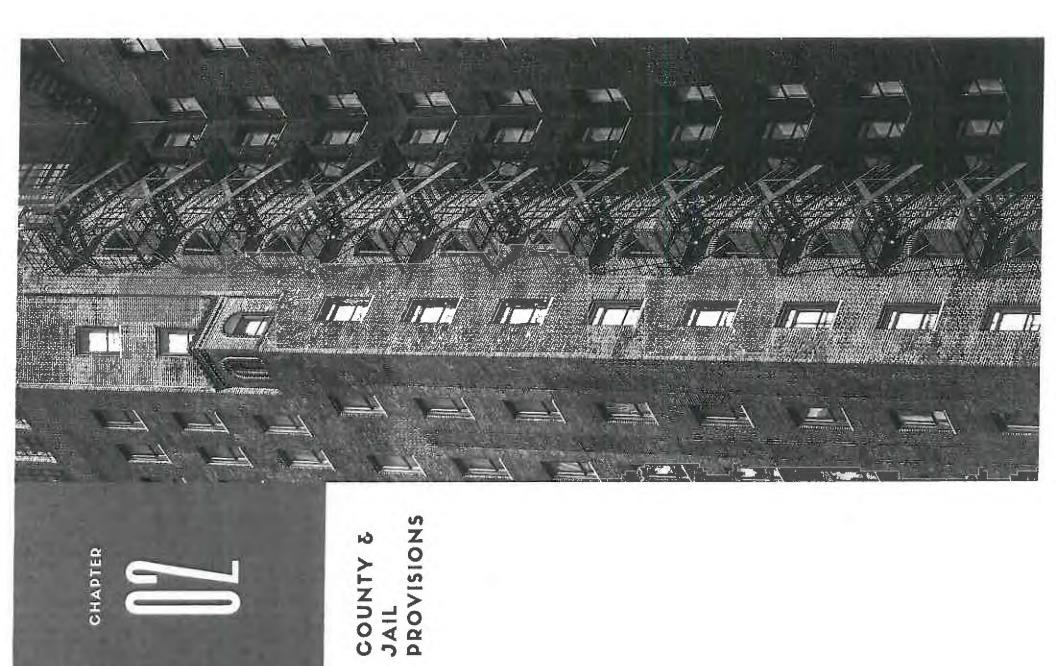
In response to President-elect Donald Trump's promise to deport two to three million immigrants when he takes office, many cities and counties across the United States are seeking to enact local policies (often referred to as "sanctuary" or "welcoming") to protect their immigrant residents.

These policies seek to keep immigrant communities safe, ensure that all individuals are treated equally (regardless of immigration status) devote local resources to local priorities, and uphold the Constitution.

At the forefront of this battle is when the local criminal legal system cooperates with Immigration & Customs Enforcement (ICE). Many local law enforcement agencies voluntarily offer assistance to ICE at their own expense.

Cities and counties have no legal obligation to help enforce federal immigration laws. In ceasing this voluntary cooperation, cities and counties can take important steps today to ensure that they do not serve as a pipeline to deportation.

This resource identifies and explains some key provisions that cities and counties can enact in order to protect immigrants from discrimination and deportation.



In the majority of states in America, police departments take primary responsibility for patrolling cities and towns, while sheriffs manage and operate county jails. When police arrest a person, unless they are released very quickly, they will be brought to the county jail, run by the sheriff. Most people are turned over to ICE for deportation from these jails.

Therefore, the county jail's policies regarding assistance to ICE is where a local policy can have the greatest impact on deportation.

The following items are elements that advocates should consider in seeking to build a local policy that will prevent a simple police stop from being the gateway to deportation.

1. No 287(g) program

The 287(g) program is an agreement between Department of Homeland Security (DHS) and certain law enforcement agencies to allow local or state law enforcement officers to have some authority to enforce civil immigration laws. Under 287(g), local law enforcement are indistinguishable from federal immigration authorities, and immigrants may risk deportation proceedings as a result of any contact with law enforcement agents. Currently only about 32 agencies in the country participate in 287(g). Ending or preventing a 287(g) program is necessary to enacting any local sanctuary-type policy.

2. No Intergovernmental Service Agreement (IGSA)

An IGSA is a contract between a local jail and ICE to detain immigrants in deportation proceedings. Many counties make money off immigration detention, although in some cases, the counties actually lose money and are subsidizing ICE. When a local jail has an IGSA, immigrants may get transferred directly to ICE detention without due process. Individuals are often held in immigration detention for months without any guarantee of a lawyer or other basic rights. There is no legal obligation for localities to enter into immigration detention contracts:

For a list of immigration detention centers, see.

www.endisolation.org/resources/immigration-detention/

3. No detention on ICE holds to facilitate transfer to ICE

No jail should prolong the detention of an immigrant who is otherwise due for release under state law on the basis of an ICE hold or ICE detainer. This practice has been found unconstitutional or illegal by several federal courts.

See a summary of the court decisions here https://www.iirc.org/immigration-detainers-legalupdate-october-2016

See a legal memo with further analysis here: https://www.ilrc.org/legal-analysis-immigrationdetainers

4. General prohibitions on assistance or joint patrols with ICE

Local and state law enforcement have no authority to stop or arrest individuals based on immigration status or suspected civil immigration violations. Nor is there any obligation for officers to assist ICE in immigration enforcement, whether that involves providing ICE with information or conducting joint arrests or raids

Real Policies in Practice

- I. "Effective Thursday, June 12, the Hennepin County Sheriff's Office will no longer honor U.S. Immigration and Customs Enforcement detainers absent judicial authority"
- It is the policy of the county to only honor civil immigration hold requests from United States Immigration and Customs Enforcement for individuals that are accompanied by a criminal warrant issued by a U.S. District Court judge or magistrate.
- III. Effective immediately, we will no longer detain individuals based solely on a federal immigration detainer (Form I-247). A recent federal court ruling in Oregon makes it clear that these forms are not mandatory, but merely requests. Accordingly, we have no lawful reason to detain individuals who are otherwise releasable based on the issuance of an ICE detainer. Individuals having a valid arrest warrant issued by another jurisdiction or federal agency may still be detained according to our current protocol.

Real Policies in Practice

- i. No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign crizeriship in present in the United States in violation of federal immigration laws
- ii Officers shall not contact ICE or CBP for assistance on the basis of a suspect's or arrestee's race, ethnicity national origin, or actual or suspected immigration status
- iii. Officers shall not prolong any stop in order to investigate immigration status or to allow CBP or ICE to investigate immigration status.

5. No ICE agents or officers in jails

Although local law enforcement agencies have no obligation to assist ICE, ICE agents often have unfettered access to detainees, databases, and in some jails even have desks and offices of their own within the local jail. In others, they visit daily or multiple times per week. ICE agents may get access to the booking information of individuals (which includes foreign birth and address), and sometimes are able to log in directly to the jail's databases.

Given this broad access to jail data and people in custody, ICE is able to interrogate people who are detained about their immigration status or place of birth, often doing so in a threatening and coercive way, and then uses this information to deport them. Often due to abusive, deceptive ICE practices, jurisdictions have determined that they will not let ICE into the secure area of the jail to interrogate inmates. Others have established procedures for individuals to give knowing consent before agreeing to such ICE interviews.

Don't ask about immigration status or place of birth

Immigration status is irrelevant to criminality and to regular enforcement of criminal laws or protection of public safety. Many jurisdictions prohibit inquiring into immigration status by local law enforcement or other agericles, particularly in order to mitigate potential racial or ethnic profiling.

Real Policies in Practice

- i. The District shall not provide to any ICE agent an office, booth, or any facility or equipment for a generalized search of or inquiry about inmates or permit an ICE agent to conduct an individualized interview of an inmate without giving the inmate an opportunity to have counsel present.
- It in advance of any interview between ICE and an individual in local law enforcement custody regarding civil immigration violations, the local law enforcement entity shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that he or she may decline to be interviewed or may choose to be interviewed only with his or her attorney present.

The written consent form shall be available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean. The written consent form shall also be available in any additional languages that meet the county threshold as defined in subdivision(d) of Section 128552 of the Health and Safety Code if certified translations in those languages are made available to the local law enforcement agency at no cost.

Real Policies in Practice

- i. Do not ask the detainee about his/her immigration status or place of birth
- it. [Officers] may not inquire about a person's civil immigration status unless civil immigration status is necessary to the ongoing investigation of a criminal offense, it is important to emphasize that personal characteristics are not a reason to ask about civil immigration status.
- iii Acceptable forms of identification, which must include a photograph of the individual, include, but are not limited to driver's licenses from any U.S. state or foreign country, government-issued IDs by a U.S. junsdiction, foreign passports, and consular ID cards. An individual should not be stopped or detained solely for the purpose of establishing his or her identity. [Officers] may utilize federal databases in attempts to establish an individual's identity. [Officers] shall utilize federal databases in attempts to establish an individual's identity only when all other attempts to identify the person have failed. Contact with federal authorities made to determine an individual's identity is restricted to the purpose of determining his or her identity.

7. No notifications of release dates

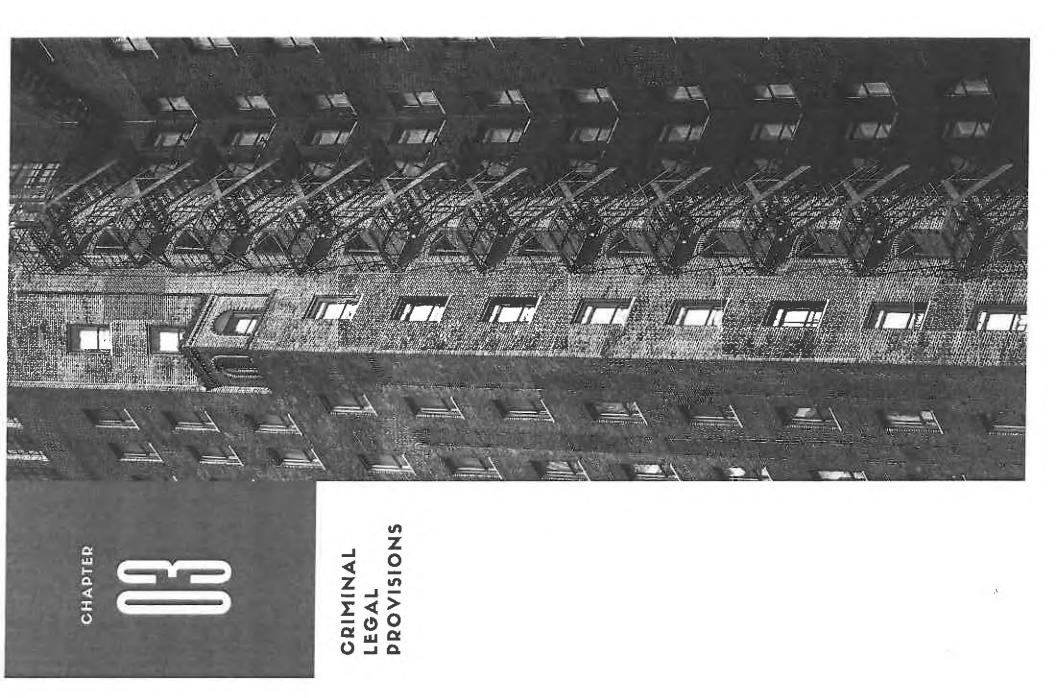
in some places that will not agree to detain immigrants for an ICE arrest, ICE sends a request for notice of release date, so that they can arrive in time to seize the person exactly when they would be leaving the jail. This practice has the exact same effect as the other ICE detainer request -- it turns the jail into a pipeline to deportation and undermines local law enforcement's ability to engage with immigrant communities. Stopping this practice is, therefore, important for any sanctuary-type policy.

Real Policies in Practice

i. Unless ICE agents have a criminal warrant, or County officials have a legitimate law enforcement purpose that is not related to the enforcement of immigration laws, ICE agents shall not be given access to individuals or allowed to use County facilities for investigative interviews or other purposes, and County personnel shall not expend their time responding to ICE inquines or communicating with ICE regarding individuals' incarceration status or release dates while on duty

ii. 1. The department [snall not honor a civil immigration detainer by (i) holding a person beyond the time when such person would otherwise be released from the department's custody, except for such reasonable time as is necessary to conduct the search specified in paragraph two of this subdivision, or (ii) notifying federal immigration authorities of such person's release

in. No department, agency, commission, officer, or employee of the City and County of San Francisco shall use any City funds or resources to assist in the enforcement of Federal immigration law or to gather or disseminate information regarding the immigration or release status of individuals or any other such personal information as defined in Chapter 12I in the City and County of San Francisco unless such assistance is required by Federal or State statute, regulation, or court decision



CRIMINAL LEGAL PROVISIONS

1. Provisions to Protect Equal Rights for Immigrants in Criminal Courts

Because of perceived lack of immigration status, immigrants are often discriminated against within the criminal legal system. To the right are some provisions related to ensuring that immigrants have equal access to bail, jail alternatives treatment programs, and other protections in the criminal legal process so that they can have fair and just outcomes of their criminal case. This in turn may mitigate the risk of deportation.

These examples are not exhaustive of issues affecting immigrants within the criminal legal process.

2. Criminal Courts

Criminal courts have a duty to administer justice fairly and impartially. To the right are some provisions to ensure that criminal courts do not discriminate against immigrants and afford them due process.

Real Policies in Practice

Any inmate who has bondable charges upon admission shall be allowed to post bond to secure his or her release. An immigration detainer request or an administrative warrant shall not inhibit an inmate's ability to post bond.

it inmates with an ICE detainer will be sent to court for their commitment charge(s) as a straight/out court appearance in the event all local charges are disposed of, the inmate will not be returned to the Correctional facilities

iii. Neither the Illinois Department of Corrections not any other State of Illinois law enforcement agency may consider an immigration detainer of administrative immigration warrant in determining an individual's eligibility or placement in any educational, rehabilitative, or diversionary program described in Chapter 730 of the Illinois Compiled Statutes or any other educational, rehabilitative or diversionary program administered by a law enforcement agency.

Real Policies in Practice

It is the policy of the King County Superior Court that warrants for the arrest of individuals based on their immigration status shall not be executed within any of the King County Superior Court courtrooms unless directly ordered by the presiding judicial officer and shall be discouraged in the King County Superior Court courthouses unless the public's safety is at immediate risk

Procedural protections: Stop courts from inquiring into immigration status and to provide warnings about possible immigration consequences of a plea, e.g. CA Penal Code 1016 5

See also http://immdefense.org/wp-content/uploads/2011/11/IDP_Judicial_Inquiry_Into_Stat us_Jan20111.pdf

See also http://www.immdefense.org/wpcontent/uploads/2011/11/postpadillaFINALNov2011.pdf

CRIMINAL LEGAL PROVISIONS

3. Criminal Defenders

Criminal defenders have a constitutional duty under the Sixth Amendment of the U.S. Constitution to affirmatively and competently advise of the immigration consequences of criminal offenses. Because even misdemeanor offenses can have devastating immigration consequences, it is crucial that defenders be armed with the resources to comply with this duty.

4. Prosecutors

Similarly, prosecutors should adopt written local policies and/or practices where they consider the immigration consequences to the defendant and their family during plea negotiations. This can help result in a criminal case outcome that will mitigate or prevent deportation or other immigration consequences. Even the U.S. Supreme Court has stated that such consideration can only be beneficial for both parties. Prosecutors may also voluntarily share information with ICE or report people to ICE and these practices should be prohibited.

5. U Visa Policies

One simple thing that local and state law enforcement, prosecutors, judges, and certain other agencies can do, is establish policies and protocols for signing U visa certifications

A U Visa is immigration relief for victims of certain crimes who have been, or are likely to be, helpful to law enforcement in the investigation or prosecution of a crime that can lead to a green card.

The first step in applying for a U visa is to obtain a U Visa certification from one of the aforementioned agencies

Real Policies in Practice

Sample Policy Language Detense counsel shall provide accurate and affirmative advice about the immigration consequences and when consistent with the goals of the defendant shall defend against those consequences

Sample model:

www.tirc.org/sites/default/files/resources/protocols_for_e nsuring_effective_defense_of_noncitizen_defendants_in _ca_oct_2015.pdf

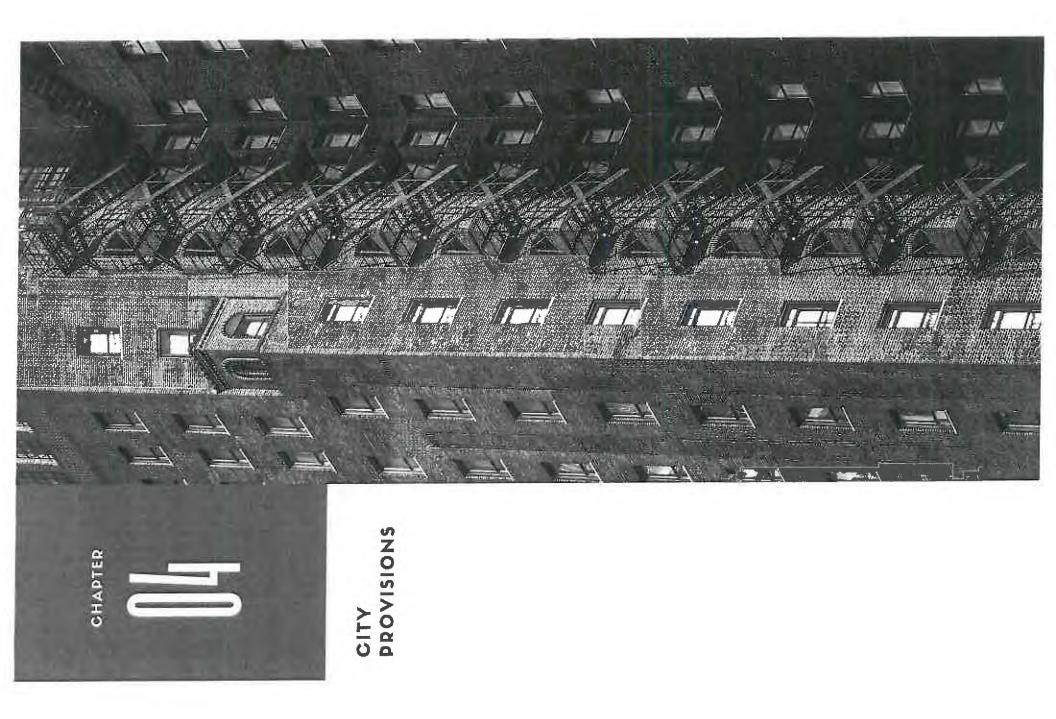
Real Policies in Practice

Sample Language The prosecution, in the interests of justice, shall consider the avoidance of adverse immigration consequences in the plea negotiation process as one factor in an effort to reach a just resolution

Real Policies in Practice

Sample guidance can be found here.
https://www.ifrc.org/sites/default/files/resources/u_visa_
basics_for_law_enforcement.pdf

When advocating with law enforcement, this guidance from DHS may be helpful https://www.dhs.gov/xlibrary/assets/dhs_u_visa_certific ation_guide.pdf



CITY PROVISIONS

In addition to interactions with ICE at the county level, individuals may come in contact with ICE through local police. Although ICE accesses most people from the county jail/sheriff's department (see Part I above), there are still policies that police and cities can adopt to mitigate ICE's presence and immigration consequences. If your city runs a jail, see the various jail policy advice above.

1. General prohibitions on Real Policies assistance or joint patrols with ICE

Local and state law enforcement have no authority to stop or arrest individuals based on immigration status or suspected civil immigration violations. Nor is there any obligation for officers to assist ICE in immigration enforcement, whether that involves providing ICE with information or conducting joint arrests or raids.

2. Don't ask Policies

Cities interact with individuals in a number of ways on a regular basis. It is important that during those interactions immigration status is not requested or investigated since it is a civil immigration matter outside the city's jurisdiction. Policies can make clear that city agencies and departments, including local police, should not solicit information about immigration status.

3. Prohibition on NCIC Immigration Arrests

Police use the national NCIC database to check whether individuals in their custody have outstanding warrants. ICE also puts administrative immigration warrants for civil violations into NCIC, which confuses law enforcement officers, who generally do not have legal authority to make arrests on the basis of civil immigration violations.

in Practice

i. No department, agency, commission, officer, or employee of the City and County of San Francisco shall use any City funds or resources to assist in the enforcement of Federal immigration law

ii. No law enforcement agency of the State of Oregon or of any political subdivision of the state shall use agency moneys, equipment or personnel for the purpose of detecting or apprehending persons whose only violation of law is that they are persons of foreign citizenship present in the United States in violation of federal immigration laws

Deal Dolicies in Practice

i. No agent or agency shall request information about or otherwise investigate or assist in the investigation of the citizenship of immigration status of any person unless such inquiry or investigation is required by Illinois State Statute, federal regulation, or court decision

ii. Except as otherwise provided under applicable federal law, no agent or agency shall disclose information regarding the citizenship or immigration status of any person unless required to do so by legal process or such disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by such individual's parent or

Real Policies in Practice

i. Hartford police officers shall not make arrests or detain individuals based on administrative wairants for removal entered by ICE into the National Crime Information Center database

CITY PROVISIONS

4. Prohibition on joint operations with ICE

In addition to 287(g) agreements with counties discussed above, ICE will also rely on local law enforcement for resources and assistance with their immigration efforts. Police are not required to divert their resources to federal law enforcement for the investigation of civil immigration matters.

5. No holds and no notifications of release dates

As previously discussed under counties above, police generally take individuals to jail, which are operated by the county sheriffs department. While it's through the sheriff that ICE is able to pick up individuals, police departments do hold individuals and may receive hold or notification (also called detainer) requests. As a result, it is important that local police have policies against holds and notifications.

Real Policies in Practice

- I. Members are not permitted to accept requests by ICE or other agencies to support or assist in immigration enforcement operations, including but not limited to requests to establish traffic permitters related to immigration enforcement. In the event a member receives a request to support or assist in a civil immigration enforcement action he or she shall report the request to his or her supervisor, who shall decline the request and document the declination in an interoffice memorandum to the Superintendent through the chain of command.
- Sweeps intended solely to locate and detain undocumented immigrants shall not be conducted. Staff will not participate in ICE organized sweeps to locate and detain undocumented residents.

Real Policies in Practice

- If a CCPD arrestee receives an ICE detainer request, it should be attached to the booking forms indicating that the detainer was received. The juster/booking officer shall write the word "REJECTED" at the top of the detainer. The ICE detainer will not be honored without documentation indicating a Federal Probable Cause hearing has occurred
- ii. Unless an agency or agent is acting pursuant to a legitimate law enforcement purpose that is unrelated to the enforcement of a civil immigration law, no agency or agent shall, while on duty, expend their time responding to ICE inquiries or communicating with ICE regarding a person's custody status or release date,

CITY PROVISIONS

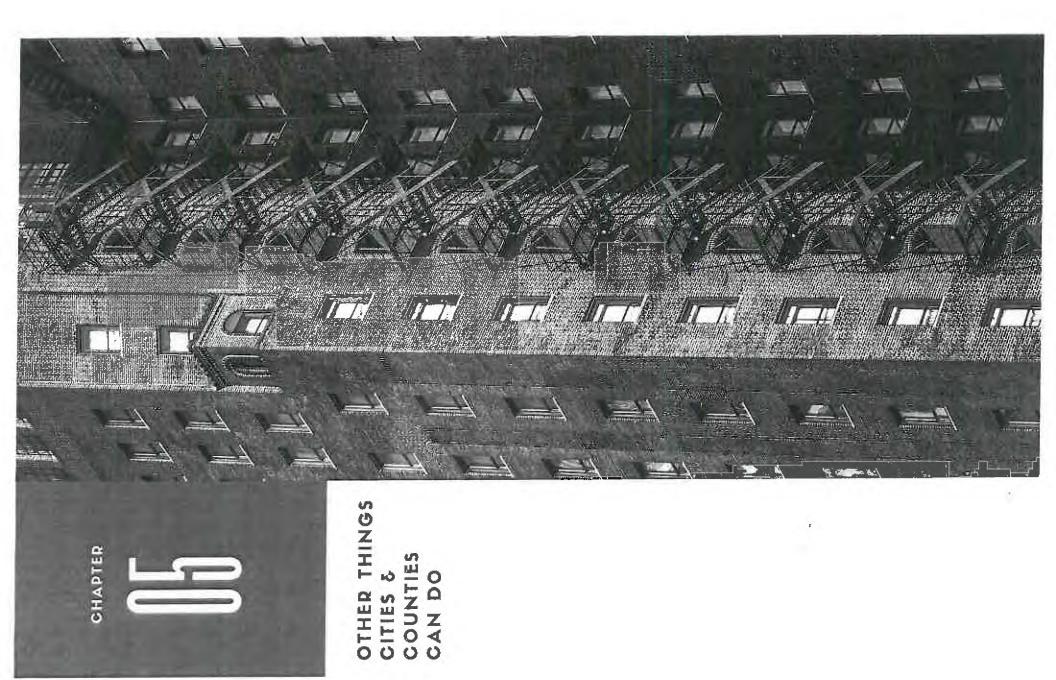
5. Statement of Support

While a statement of support does not provide any benefits or protections, it does signal the city's commitment to inclusiveness and protecting the rights of all residents, including immigrants. These statements can take many forms and are an important vehicle for easing fears within the immigrant community, as well as holding officials accountable or laying the groundwork for an enforceable policy later on.

Real Policies in Practice

It is hereby affirmed that the City and County of San Francisco is a City and County of Refuge.

ii The vitality of the City of Chicago (the "City"), one of the most ethnically, racially and religiously diverse cities in the world, where one-out-of-five of the City's residents is an inimigrant, has been built on the strength of its immigrant communities. The City Council finds that the cooperation of all persons, both documented citizens and those without documentation status, is assential to achieve the City's goals of protecting life and property, preventing crime and resolving problems. The City Council further finds that assistance from a person, whether documented or not, who is a victim of, or a witness to, a crime is important to promoting the safety of all its residents. The cooperation of the City's immigrant communities is essential to prevent and solve crimes and maintain public order, safety and security in the entire City One of the City's most important goals is to enhance the City's relationship with the immigrant communities



OTHER THINGS CITIES AND COUNTIES CAN DO

In addition to the policies listed above, cities can take a number of additional actions:

 Ensure city benefits and services are available without regard to immigration status.

City employees will serve all residents and city services will be accessible to all residents, regardless of immigration status. Seattle Resolution 30672 passed in 2004 reaffirms Ordinance 121063 and states that City agencies and law enforcement cannot withhold services based on several identities, including ancestry, race, ethnicity, national origin, color, age, sex, sexual orientation, gender variance, marital status, physical or mental disability, or religion.

 Issue municipal IDs that can also serve as a form of identification when working with local police.

IDNYC is the new, free identification card for all New York City residents, which gives all of us the opportunity to show who we are—New Yorkers.

 Provide language services so that foreign language speakers are able to access services.

All City agencies that provide direct public services shall ensure meaningful access to such services by taking reasonable steps to develop and implement agency-specific language assistance plans regarding LEP persons.

 Establish an office dedicated to Civic Engagement and Immigrant Affairs to enact city or county-wide programs such as the integration of immigrant services (e.g. citizenship outreach), language access, and other programs.

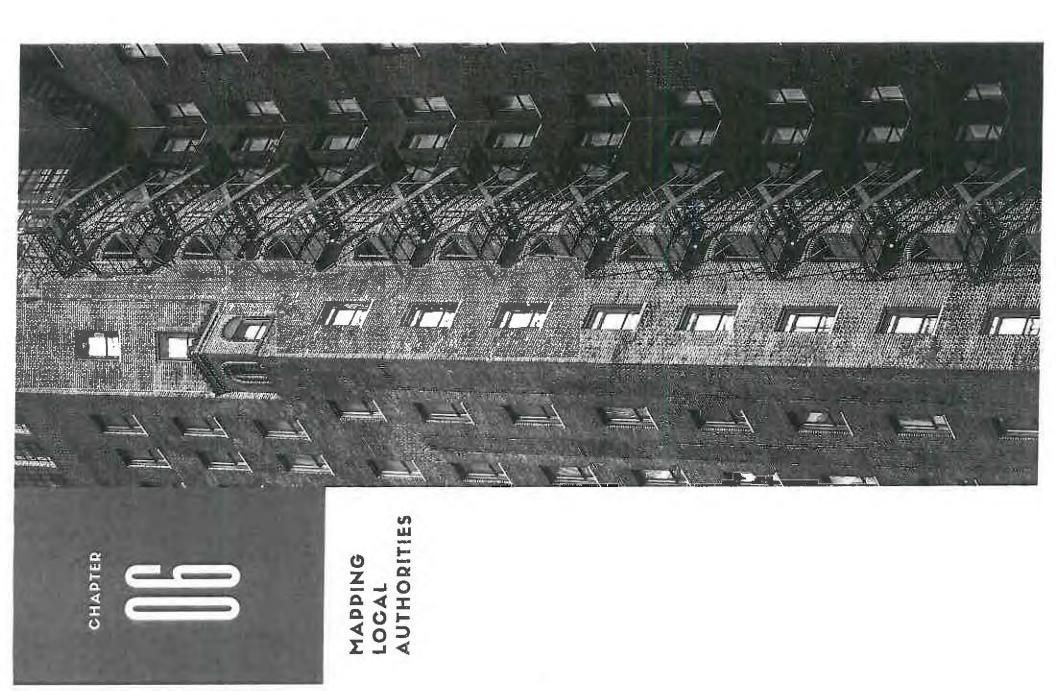
See: www.sfgov.org/oceia

 Establish a fund for appointed representation of individuals in deportation proceedings.

Chicago Legal Protection Fund

Enact safety policies within the school districts.

See: https://www.nilc.org/wpcontent/uploads/2016/12/Model-Campus-Safe-Zones-Language-K12-countrywide-2016-12 pdf



MAPPING LOCAL AUTHORITIES

Who has the power to make policy about ICE collaboration at the local level?

Law enforcement reports to local government. Sheriffs or county law enforcement often report to county-level government, such as a county executive, or a county commission or board of supervisors. Power over the sheriff's budget can be an important avenue for establishing new rules about collaboration with ICE, if an independent rule is hard to obtain. This chart examines common figures in county-level governance and law enforcement.

	Sheriff	County Executive	County Council or Board
Type of Power	 Sheriff often manages county or regional jails May have custody of both pre-trial immates and those serving fairly short sentences Most Sheriffs and Sheriff Deputies have arrest and enforcement powers, but some only run jails and don't have patrols 	Could have many names Doesn't exist in many states Likely controls county budget or oversees county-wide agencies	 A legislative body with power to write county-wide laws Can call meetings and oversight hearings or demand information from law enforcement Some states have County Boards, which are a similar law-making body of elected officials May also be called Count Commission
Jurindiction	Sheriffs are usually the county-wide law enforcement and jail authority Usually have power to make arrests and detain people throughout the county	Governs the whole county May be the primary local executive authority for small towns without their own council or mayor	A County Commission/Board/ Council passes county budgets and other county laws and regulations Generally a county law cannot be overruled by a city-level law
Elected or appointed	Sheriffs are often elected by the people of the county, but not always.	May be elected or appointed	Usually elected by all the residents of the county

MAPPING LOCAL AUTHORITIES

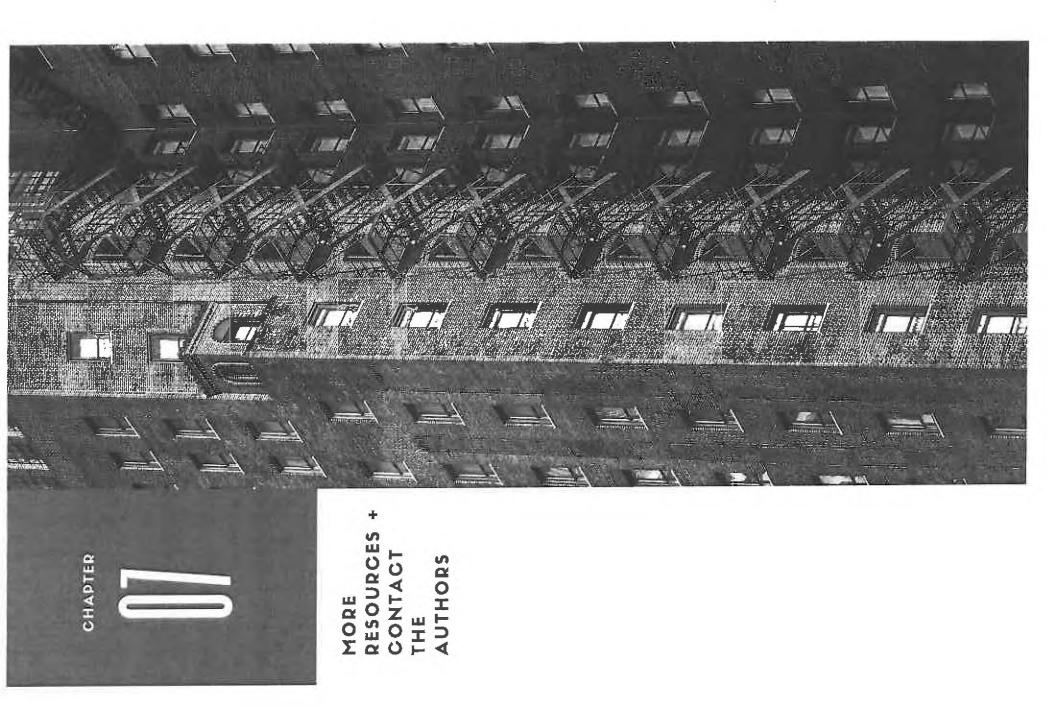
Who has the power to make policy about ICE collaboration at the local level?

Most towns have a municipal police department that is accountable to a governing body or authority, a mayor or city council, for example. It is often these governing bodies that create the rules that law enforcement must follow. In addition, the city government will also control the police budget, which can be an important wedge.

74-13	Police Chief or Commissioner	Manager	City Council
Type of Power	Police can make arrests, search, and detain people Chief is the head of city police Authority over police practices, training, and protocol Police usually manage the city jail or hold rooms, where people would be held during temporary detention after arrest	Mayor is generally in charge of ruming a town or city Usually manages local budgets and oversees city agencies May have managerial authority to tell police or jails what to do Some towns have a City Manager, which is similar to a Mayor	City Council is a group of officials with power to pass local laws, often called ordinances May also conduct oversight hearings of the jail or police Likely has a subcommittee with specific focus on police, public safety, or immigration issues In some cities has power to appoint the mayor or city manager
Jurisdiction	 Highest authority for the local (city) police department No jurisdiction over neighboring towns May detain people after arrest or before trial 	Mayor is the chief executive of a town or city, like the President, but on a local level Usually has power to pass executive orders Does not have authority over other towns	City Council is usually the legislative branch of city government Does not have power to override county or state laws
Elected or - appointed	Police Chiefs are usually an appointed position or reached by promotion	Usually elected by residents of the city, but may be appointed by a city council	Council Members may be elected at large or based on wards or districts



But remember, every jurisdiction's structure is different!
These charts describe common authorities and powers of city government and law enforcement



ADDITIONAL

For more detailed explanation of ICE enforcement programs in local jails, see these other ILRC resources:

- Guide to the Criminal Alien Program
- Guide to the Priority Enforcement Program (PEP-Comm)
- A comprehensive guide to separating local law enforcement from ICE

CONTACT

This resource was authored by:

- Lena Graber, Special Projects Attorney
- Angie Junck, Supervising Attorney
- Nikki Marquez, Law Fellow

This resource can be downloaded directly from: https://www.ilrc.org/local-options

For questions about this resource, please email:

Lena Graber (Igraber@ilrc.org),
Angie Junck (ajunck@ilrc.org) or
Nikki Marquez (nmarquez@ilrc.org) with
"[Local Options Resource]" included in the subject
line of your request.

The following page(s) contain the backup material for Agenda Item: Notice of Decision – Planning Commission approval of a Conditional Use Permit for beer and wine sales at Sushi Loco Restaurant to be located at 2220 East Plaza Blvd., Suite C & D. (Applicant: Jason Kim) (Case File 2016-26 CUP) (Planning)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO. ITEM TITLE: Notice of Decision - Planning Commission approval of a Conditional Use Permit for beer and wine sales at Sushi Loco Restaurant to be located at 2220 East Plaza Blvd., Suite C & D. (Applicant: Jason Kim) (Case File 2016-26 CUP) PREPARED BY: Martin Reeder, AICP DEPARTMENT: Planning. APPROVED BY: PHONE: 336-4313 **EXPLANATION:** Sushi Loco has applied for a Conditional Use Permit (CUP) to sell beer and wine as an accessory use to a proposed restaurant. Alcohol sales hours would be from 11 a.m. to 10 p.m. daily. A Type 41 (On-Sale Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC). The project location is a 1,890 square-foot suite within Grove Plaza, located in the Major Mixed-Use District (MXD-2) zone. Planning Commission conducted a public hearing on December 5, 2016. The Commission voted to approve the Conditional Use Permit based on attached findings and subject to Conditions of Approval. The attached Planning Commission staff report describes the proposal in detail. APPROVED: FINANCIAL STATEMENT: Finance ACCOUNT NO. APPROVED: MIS **ENVIRONMENTAL REVIEW:** Not a project per CEQA FINAL ADOPTION: ORDINANCE: INTRODUCTION: STAFF RECOMMENDATION: Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed. **BOARD / COMMISSION RECOMMENDATION:** The Planning Commission approved the Conditional Use Permit. Aves: Baca, Bush, Garcia, Sendt, Yamane Absent: DeLaPaz Abstain: Flores **ATTACHMENTS:**

3.

4.

Resolution No. 2016-17

Reduced Plans

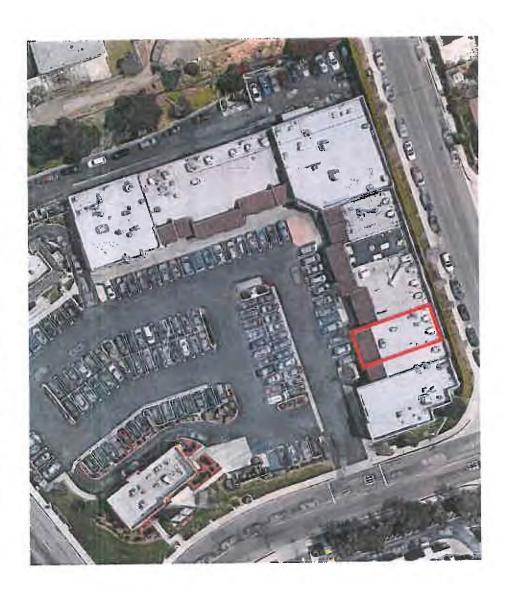
11.

2.

Overhead

Planning Commission Staff Report













Item no. 3 December 5, 2016

CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - CONDITIONAL USE PERMIT FOR

ALCOHOL SALES AT A NEW SUSHI RESTAURANT TO BE LOCATED AT 2220 EAST PLAZA BOULEVARD, SUITE

C&D

Case File No.: 2016-26 CUP

Location: Southeast corner of East Plaza Boulevard and Grove Street

Assessor's Parcel No.: 557-380-66

Staff report by: Jessica Madamba – Planning Technician

Applicant: Jason Kim

Property owner: Charles Yablon

Zoning designation: MXD-2 – Major Mixed-Use District

Adjacent land use/zoning:

North: Popeye's Restaurant / Starbucks Coffee / MXD-2

East: Single Family Residential / RS-2 (Small Lot Residential)

South: Single Family Residential / RS-2

West: McDonald's Restaurant across Grove St. / MXD-2

Environmental review: Not a project per CEQA

Staff recommendation: Approve





BACKGROUND

The property owner has applied for a Conditional Use Permit (CUP) to sell beer and wine at a new restaurant, Sushi Loco. Business operating hours, as well as alcohol sales, would be from 11 a.m. to 10 p.m. daily. A Type 41 (On-Sale Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

Site Characteristics

The project location is Grove Plaza, located at 2220 E. Plaza Blvd., in the Major Mixed-Use District (MXD-2) zone. The premises are a 1,890 square-foot suite, which has historically been two separate suites (C & D), within the center. The area is adjacent to other commercial uses including Popeye's and Starbucks. Single-family residential uses are located to the south and to the east in the Small Lot Residential (RS-2) zone.

Proposed Use

The applicant is proposing to open a new sushi restaurant in the 1,890 square-foot commercial suite. The floor plan provided with this application shows 41 seats, 7 of which would be at a sushi counter. The applicant wishes to sell beer and wine in the restaurant, which requires a Conditional Use Permit (CUP). Alcohol would be delivered to the table upon request. Proposed operation and alcohol sales hours are 11:00 a.m. to 10:00 p.m. daily. No live entertainment is proposed.

Analysis

Section 18.30.050 of the National City Land Use Code allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUP's include expanded notification, a community meeting, and distance requirements.

<u>Mailing</u> – All property owners <u>and</u> occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications, as was done in this case. 629 people were notified by mail of this public hearing.

<u>Community Meeting</u> – Pursuant to Section 18.30.050 (C), a community meeting was held Monday, September 12, 2016 at 6:30 pm at the subject restaurant. The meeting advertisement is attached. Three people were in attendance, including the applicant.

<u>Distance Requirements</u> – Chapter 18.030.050 (D) requires a 660-foot distance from sensitive uses such as schools. However, restaurants with greater than 30% of their area devoted to seating (which applies in this case) are exempt from these distance requirements. There are no schools within 660 feet. The nearest school is Palmer Way Elementary School, which is located approximately a half-mile away.





Required findings

The Municipal Code contains required findings for Conditional Use Permits. There are six required findings:

 The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed-Use District zone pursuant to a Conditional Use Permit, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. A restaurant use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character (LU) element of the General Plan. In addition, the property is not within a Specific Plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial space, which was already analyzed for traffic impacts when it was constructed. In addition, because the sale of alcohol would be accessory to the sale of food, no measurable increase in traffic is expected.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed use would be accessory to a restaurant use, which will be located in an existing commercial area. The addition of alcohol sales is not expected to increase the demand for parking on the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.





The proposed use will be compatible with other nearby businesses. In addition, the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act.

The project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the opinion that the project would not result in any physical changes to the environment.

That the proposed use is deemed essential and desirable to the public convenience or necessity.

In this case the alcohol sales will contribute to the viability of a restaurant, an allowed use in the Major Mixed-Use District (MXD-2) zone.

Department and Agency comments

<u>Alcohol Sales Concentration/Location</u> – Per ABC, there are currently no existing onsale licenses and three off-sale authorized for Census Tract (120.03). For reference, the off-sale alcohol outlets in the census tract are:

Name	Address	License Type*	CUP
The Liquor Bottle	2605 E 18th St.	21	-
Imperial Liquor	3106 E 16th St.	21	-
7 Eleven	3100 E Plaza Blvd	21	

^{*} Type 20 – Off-Sale Beer and Wine Type 21 - Off-Sale General

Census tract 120.03 includes the area between Interstate 805 and Harbison Avenue, and between E. Plaza Blvd. and E. 18th St. The attached census tract map shows the location of the subject tract. Per State Alcoholic Beverage Control (ABC) there are currently three off-sale licenses in this census tract (120.03) where a maximum of four are recommended. Again, there are no on-sale licenses in the census tract.





Police Department

The Alcohol Beverage Control Risk Assessment provided by PD allocated a total of 11 points, which would be considered a Low Risk. Impacts with regards to the issuance of an on-sale ABC License at this location are not expected.

Institute for Public Strategies (IPS)

The Institute for Public Strategies recommends that if the CUP is approved that owners, management, and staff be required to attend Responsible Beverage Sales and Service training (covered under condition no. 11). Comments are attached for your review.

Building Division

Comments were provided by the Building Division, which require any plans for future construction to comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes.

Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions specific to on-sale alcohol sales per Council policy 707 (alcohol incidental to food, hours of operation, RBSS training, etc.).

Summary

The proposed use is consistent with the General Plan because alcohol sales for on-site consumption are a conditionally-allowed use in the Major Mixed-Use District Zone. The proposed use would be accessory to a restaurant use in an existing commercial area, which is not expected to increase the demand for parking or other services on the property. The addition of alcohol sales is not expected to have any significant effects on the area.

<u>OPTIONS</u>

- Approve 2016-26 CUP subject to the attached conditions, and based on attached findings or other findings as determined by the Planning Commission; or
- Deny 2016-26 CUP based on findings as determined by the Planning Commission; or
- 3. Continue the item for additional information





ATTACHMENTS

- Recommended Findings 1.
- **Recommended Conditions** 2.
- 3. Overhead
- **Department and Agency Comments** 4.
- 5. Census Tract Map
- 6. Public Hearing Notice (Sent to 629 property owners and Occupants)
- Community meeting advertisement, sign-in sheet, and minutes 7.
- Applicant's Plans (Exhibits A, Case File No. 2016-26 CUP, dated 9/21/2016) 8.

JESSICA MADAMBA

gradamba

Planning Technician

BRAD RAULSTON Deputy City Manager





RECOMMENDED FINDINGS FOR APPROVAL 2016-26 CUP – 2220 East Plaza Blvd., Suite C & D

- 1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales for on-site consumption are a conditionally-allowed use in the Major Mixed Use District.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character (LU) element of the General Plan. Furthermore, the property is not within a Specific Plan area.
- 3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion is proposed, and the use would be accessory to a proposed restaurant in an existing commercial area.
- 4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is already fully developed and the proposed use would be accessory to a proposed restaurant use in an existing commercial area, which is not expected to increase the demand for parking on the property.
- 5. That granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be compatible with other nearby businesses; and because the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.
- 6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use is not a project per the Act. There is no calculable increase in traffic and no other impacts are anticipated; therefore, the project would not result in any physical changes to the environment.





- 7. That the proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales will contribute to the viability of a restaurant, an allowed use in the Major Mixed-Use District (MXD-2) zone.
- 8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.





RECOMMENDED CONDITIONS OF APPROVAL 2016-26 CUP – 2220 East Plaza Blvd., Suite C & D

General

- This Conditional Use Permit authorizes the sale of beer at a restaurant to be located at 2220 East Plaza Blvd., Suite C & D. Plans submitted for permits associated with this project shall conform to Exhibit A, case file no. 2016-26 CUP, dated 9/21/2016.
- 2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
- 3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- This permit shall become null and void if not exercised within one year after adoption
 of the Resolution of approval unless extended according to procedures specified in
 the Municipal Code.
- 5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
- 6. This Conditional Use Permit may be revoked if the operator is found to be in violation of Conditions of Approval.

Building

7. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes. The City currently utilizes the 2013 editions.





Fire

- 8. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
- All required signage shall be designed and installed to the Fire Department's specifications.
- 10. The National City Fire Department shall be involved with all fire inspections for this site. Rough inspections are required for all phases of work.

Planning

- 11. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
- 12. The sale of alcoholic beverages shall be permitted only between the hours of 11:00 a.m. and 10:00 p.m.



NATIONAL CITY POLICE DEPARTMENT ALCOHOL BEVERAGE CONTROL RISK ASSESSMENT

DATE: 10/19/2016 BUSINESS NAME: Sushi Loco Restaurant		
ADDRESS: 2220 East Plaza Boulevard, Suites C & D, National City, CA 91950		
ADDRESS:	a, calco o a o, masonal city of to root	
OWNER NAME: Jason Jae Hoon H	Cim DOB: 07/15/1967	
OWNER ADDRESS: 1485 Bradley Place, Chula Vista, CA 91911		
(84	dd additional owners on page 2)	
I. Type of Business		
✓ Restaurant (1 pt)	Notes:	
Market (2 pts)		
Bar/Night Club (3 pts)		
Tasting Room (1pt)	<u> </u>	
II. Hours of Operation		
Daytime hours (1 pt)		
√ Close by 11pm (2 pts)		
Close after 11pm (3 pts)	· · · · · · · · · · · · · · · · · · ·	
III. Entertainment		
Music (1 pt)		
Live Music (2 pts)	-	
Dancing/Live Music (3 pts)		
✓ No Entertainment (0 pts)		
IV. Crime Rate		
Low (1 pt)		
Medium (2 pts)		
✓ High (3 pts)		
, , ,		
V. Alcohol Businesses per Census Trac	<u> </u>	
Below (1 pt)		
✓ Average (2 pts)		
Above (3 pts)	I	

Revised: 8/16. 1 of 2



Environmental Scan for Alcohol License C.U.P.

Sushi Loco

2220 E. Plaza Blvd., National City, CA 91950 October 18, 2016



Area

This environmental scan is for a Conditional Use Permit for to sell beer & wine at Sushi Loco located at 2220 E. Plaza Blvd., National City. The business is located east of the 805 Freeway. An environmental scan was conducted on Tuesday, October 18, 2016.

The proposed Sushi Loco Restaurant will be located in an existing commercial building with multiple suites on the southeast corner of East Plaza Boulevard and Grove Street in the Major Mixed-Use District (MXC-2) zone. The applicant is proposing to sell beer and wine at a new restaurant in Suites C and D, a 1,890 square-foot commercial space. The business will operate seven days a week, from 11a.m. to 10 p.m.

Youth Sensitive Areas

The business is not located near any youth sensitive areas.

Churches

There are were no churches noted in the immediate area of the business.

Funded by the San Diego County Health and Human Services Agency 2615 Camino del Rio So. #300 . San Diego, California, 92108 . Phone: 619.476-9100 . Fax: 619.476-9104

www.publicstrategies.org





Census Tracts

-	Off-Sale	On-Sale
Tract 120.03 Establishment is within this tract	Allowed: 2 Actual: 3 Number Above/Below Allowable: - +1	Allowed: 4 Actual: 0 Above/Below: -4
Neighboring Census Tracts		
Tract 120.02	Allowed: 2 Actual: 2 Number Above/Below Allowable:	Allowed: 4 Actual: 2 Above/Below: -2

Crime Rate

Refer to National City Police Department for crime data.

Considerations

Should a CUP be issued we would recommend that:
Staff, management, and owner be required to attend the Responsible Beverage Sales and Service training.



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

October 3, 2016

To:

Planning Division

From:

Building Division

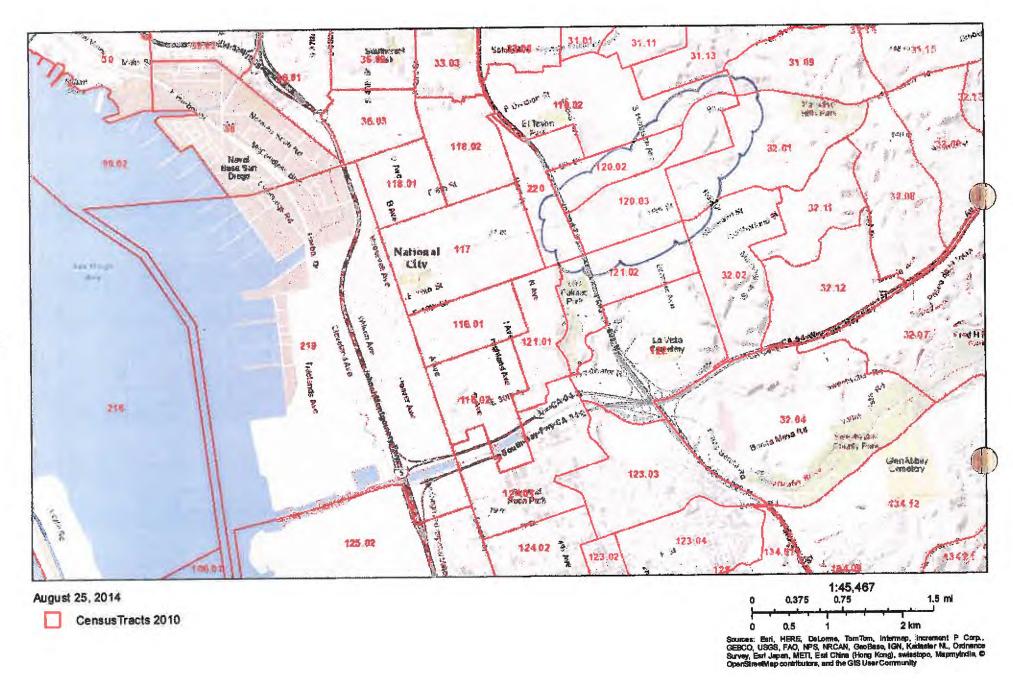
Subject: Case File No. 2016-26

2220 East Plaza Blvd.

The proposed 1890 square foot restaurant at the location listed above shall be constructed as per the 2013 California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes if plans are submitted prior to the end of 2016. If plans are submitted on or after January 1, 2017, they shall comply with the 2016 California Building Codes. If you have any questions regarding this matter please contact me at 619-336-4214, thank you.

Luis Sainz

Building Official





CITY OF NATIONAL CITY - PLANNING DEPARTMENT 1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING
CONDITIONAL USE PERMIT FOR ALCOHOL SALES
AT A NEW SUSHI RESTAURANT TO BE LOCATED
AT 2220 EAST PLAZA BOULEVARD, SUITE C & D.
CASE FILE NO.: 2016-26 CUP
APN: 527-380-66

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, December 5, 2016**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Jason Kim)

The applicant wishes to sell beer and wine at a new sushi restaurant, Sushi Loco, in an existing commercial suite. The business operating hours, as well as alcohol sales will be from 11 a.m. to 10 p.m. daily. No construction is proposed.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received on or before 12:00 p.m., **December 5, 2016** by the Planning Department, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON
Deputy City Manager





COMMUNITY MEETING

Subject: Conditional Use Permit (Beer & Wine License)

Date: September 12, 2016

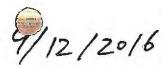
Time: 6:30PM

Location: Sushi Loco

2220 E Plaza Blvd

National City, CA 91950

We will be holding a community meeting, regarding about the Conditional Use Permit (Beer & Wine License) September 12, 2016. Sushi Loco is a Japanese restaurant that will be located in the Grove Plaza Mall and the Beer & Wine License authorizes the sale of beer and/or wine for consumption at Sushi Loco. If you are interested or have any questions, feel free to come by to Sushi Loco at 6:30Pm on September 12, 2016.





Guest list

Print name	signature	address
Ridbal Pariss Jason Kin Kelly Kim	m	RREUSSO RUBLIC STRATISTISSISSISSISSISSISSISSISSISSISSISSISS
Kelly Kim	mynzilla	2220 EP/020 BI # CD
*		

Start 1 6:30 P.M End: 6150 P.M.
20 Minute for Montana
296 of 321



A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR ALCOHOL SALES AT A NEW SUSHI RESTAURANT TO BE LOCATED AT 2220 EAST PLAZA BOULEVARD, SUITE C & D. CASE FILE NO. 2016-26 CUP

RESOLUTION NO. 2016-17

APN: 557-380-66

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for beer and wine sales at a new restaurant to be located at 2220 East Plaza Boulevard, Suite C & D at a duly advertised public hearing held on December 5, 2016, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2016-26 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on December 5, 2016, support the following findings:

- That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales for on-site consumption are a conditionally-allowed use in the Major Mixed Use District.
- 2. That the proposed use is consistent with the General Plan and any applicable specific plans, because alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant use is consistent with the Major Mixed-Use land use





designation contained in the Land Use and Community Character (LU) element of the General Plan. Furthermore, the property is not within a Specific Plan area.

- 3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion is proposed, and the use would be accessory to a proposed restaurant in an existing commercial area.
- 4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property is already fully developed and the proposed use would be accessory to a proposed restaurant use in an existing commercial area, which is not expected to increase the demand for parking on the property.
- 5. That granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be compatible with other nearby businesses; and because the proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.
- 6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use is not a project per the Act; There is no calculable increase in traffic and no other impacts are anticipated; therefore, the project would not result in any physical changes to the environment.
- 7. That the proposed use is deemed essential and desirable to the public convenience or necessity, because alcohol sales will contribute to the viability of a restaurant, an allowed use in the Major Mixed-Use District (MXD-2) zone.
- That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:



General

- This Conditional Use Permit authorizes the sale of beer at a restaurant to be located at 2220 East Plaza Blvd., suite C & D. Plans submitted for permits associated with this project shall conform to Exhibit A, case file no. 2016-26 CUP, dated 9/21/2016.
- 2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
- 3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
- 4. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Municipal Code.
- 5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
- 6. This Conditional Use Permit may be revoked if the operator is found to be in violation of Conditions of Approval.

Building

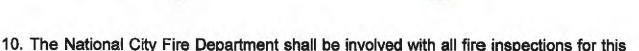
7. Plans submitted for improvements must comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes. The City currently utilizes the 2013 editions.

Fire

- 8. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA).
- 9. All required signage shall be designed and installed to the Fire Department's specifications.



site. Rough inspections are required for all phases of work.



Planning

11. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

12. The sale of alcoholic beverages shall be permitted only between the hours of 11:00 a.m. and 10:00 p.m.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of December 5, 2016, by the following vote:

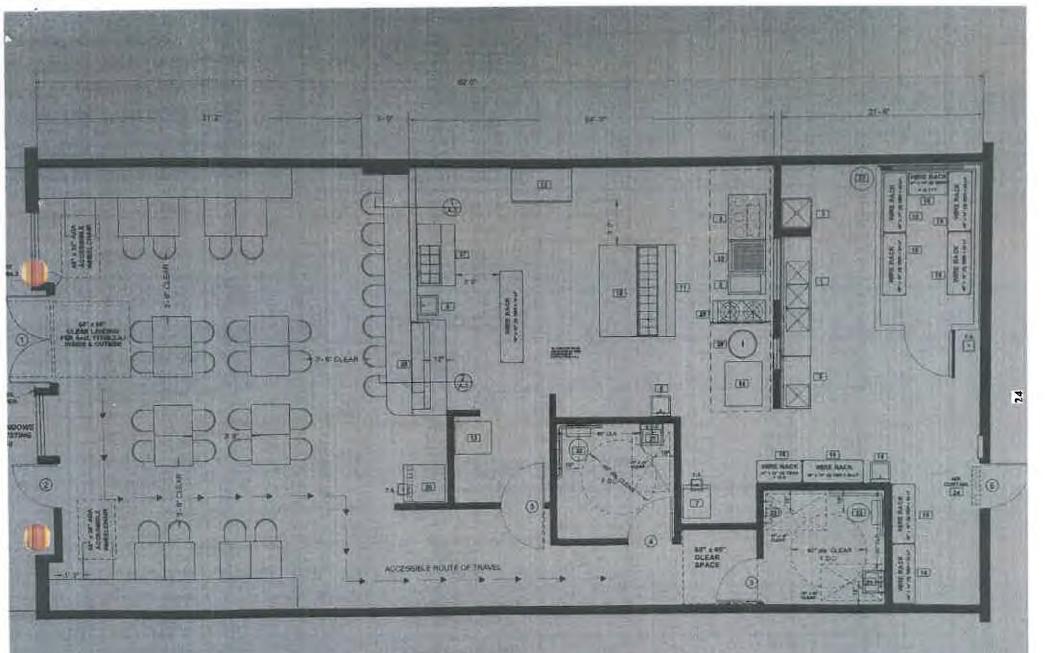
AYES: Bush, Yamane, Garcia, Baca, Sendt

NAYS: None

ABSENT: BadmeRaz

ABSTAIN: Flores

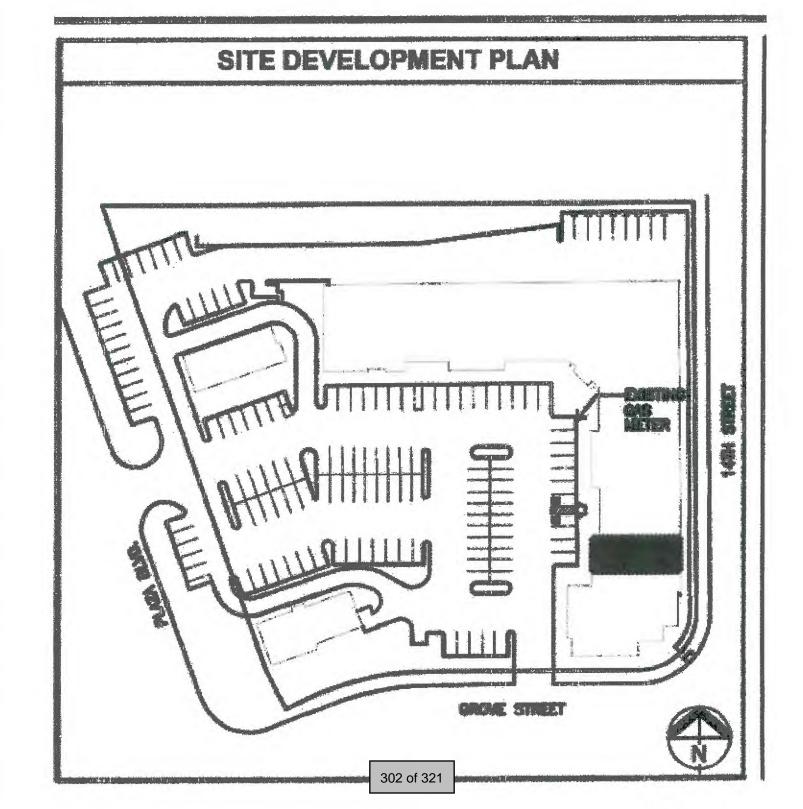
CHAIRPERSON



EXISTING FLOOR PLAN

BOALE IM" = 1'-6"

EXCHETT: A CASE FILE NO.: 2016-26 CUP CATE: 9/21/2016



The following page(s) contain the backup material for Agenda Item: Resolution of the Community Development Commission-Housing Authority of the City of National City authorizing the Chairman to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31,

CITY OF NATIONAL CITY, CALIFORNIA COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY COUNCIL AGENDA STATEMENT

MEETING DATE: January 17, 2017 AGENDA ITEM NO.

ITEM TITLE:	
Resolution of the Community Development Commission-Rauthorizing the Chairman to execute an agreement with N services for the period January 17, 2017 through Decemboptions.	IHA Advisors, LLC for municipal advisory
PREPARED BY: Mark Roberts, Director of Finance	DEPARTMENT: Finance
PHONE: 619-336-4265	APPROVED BY:
EXPLANATION:	
See attached staff report.	
FINANCIAL STATEMENT:	APPROVED: Finance
ACCOUNT NO.	APPROVED: MIS
NA	
ENVIRONMENTAL REVIEW:	
This is not a project and, therefore, not subject to environr	mental review.
,	
ORDINANCE: INTRODUCTION: FINAL ADOPTION	:
STAFF RECOMMENDATION: Adopt the resolution, authorizing the Chairman to execute the a advisory services for the period January 17, 2017 through Dece options. BOARD / COMMISSION RECOMMENDATION:	agreement with NHA Advisors, LLC for municipal ember 31, 2019 with two additional one-year
NA	

ATTACHMENTS:

- 1. Staff report
- 2. NHA Advisors, LLC Agreement
- 3. Resolution



Housing Authority Staff Report

January 17, 2017

ITEM

Resolution of the Community Development Commission – Housing Authority of the City of National City authorizing the Chairman to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options.

BACKGROUND

The Housing Authority has received professional municipal (financial) advisory services for several years. These services have been provided to assist the Housing Authority with reviewing its long-range financing needs and developing alternative strategies for meeting those needs, analyzing and interpreting legislation for economic or financial opportunities or impacts for the Housing Authority, analyzing and interpreting complex business plans and financial proposals made to the Housing Authority, and issuing debt.

In anticipation of the expiration of its agreement with its current municipal advisor, Urban Futures, Inc., on January 31, 2017, the City of National City, on behalf of itself, the Housing Authority, and the Successor Agency, issued a request for proposals ("RfP") for municipal advisory services on September 15, 2016.

REQUEST FOR PROPOSALS PROCESS

As noted above, the City issued an RfP for municipal advisory services on September 15, 2016. The RfP was sent to several municipal advisory firms and was posted on the City's and the California Society of Municipal Finance Officers (CSMFO) websites. Responses to the RfP were due by 5:00 pm on October 13, 2016.

The City received four (4) proposals in response to the RfP. The firms submitting proposals, listed in alphabetical order, are:

KNN Public Finance, LLC; Kosmont Transactions Services; NHA Advisors, LLC; Urban Futures, Inc.

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Resolution of the Community Development Commission – Housing Authority of the City of National City authorizing the Chairman to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options.

January 17, 2017

A selection panel reviewed all proposals and interviewed all submitting firms. The selection panel included the following members:

Janel Pehau, Finance Analyst;

Javier Carcamo, Financial Services Officer;

Alfredo Ybarra, Director of Housing & Economic Development;

Tim McDermott, Director of Finance / Treasurer, City of Santee;

Alicia Granados, Accountant, City of Chula Vista.

In order to rank the firms and provide a recommendation to the Housing Authority, the selection panel considered:

- relevant experience with California municipal governments;
- commitment of key members of the firm to the Housing Authority;
- demonstrated knowledge of the work/services required;
- approach to municipal advisory services; and
- cost of services.

After reviewing and considering each proposal and interviewing representatives of each of the firms, the consensus of the panel members was that NHA Advisors, LLC would best meet the municipal advisory services needs of the Housing Authority.

NHA ADVISORS (from submitted proposal)

NHA Advisors, LLC ("NHA") is an independently-owned municipal advisor/Independent Registered Municipal Advisor organized as a California limited liability company. NHA specializes in providing municipal advisory services to local government agencies only in California, with a primary focus on small and medium-sized cities, special districts (utilities and community services), and successor agencies to redevelopment.

NHA is registered with the Municipal Securities Rulemaking Board and has five practicing municipal advisors. The three principals of NHA each have more than 25 years of public finance experience. Its two vice presidents each have more than 10 years of public financing experience.

Every member of NHA has dedicated his/her entire career to the public sector, either as a consultant or directly in public service. NHA only brings qualified and experienced people into the organization and does not believe in training individuals at the expense of public agencies.

NHA serves as municipal advisor to public agencies throughout California, working with over 60 municipalities on projects including proposal review for new development, budget and long-term planning, policy considerations, and traditional municipal finance.

RECOMMENDATION

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Resolution of the Community Development Commission – Housing Authority of the City of National City authorizing the Chairman to execute an agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options.

January 17, 2017

Staff recommends the Housing Authority authorize the Chairman to execute the agreement with NHA Advisors, LLC for municipal advisory services for the period January 17, 2017 through December 31, 2019 with two additional one-year options.

FISCAL IMPACT

NHA's advisory fees (for projects not related to the issuance of any debt obligations) will be based upon hourly rates for actual work performed, in accordance with the following schedule:

Person Performing Work	Hourly Rate
Principal	\$275
Vice President	\$225
Associate	\$175
Analyst	\$125
Administrative	\$75

These fees do not include reasonable and necessary out-of-pocket expenses, including but not limited to data resources, photocopying, postage, and delivery. California travel will not be considered a reimbursable expense.

For projects associated with the issuance of notes, bonds, or other obligations, NHA's fees will be based upon the schedule below. The ranges provided in the schedule are indicative. NHA's specific compensation on a project will depend upon the time required to complete the process, which is typically a function of credit quality, structure, nature/extent of NHA's role, and NHA's expected time commitment.

Project	Fee Range
Tax and Revenue Anticipation Notes	\$17,500 - \$22,500
Certificates of Participation	\$42,500 - \$67,500
Revenue Bonds	\$47,500 - \$72,500
Assessment Districts	\$32,500 - \$72,500
Community Facilities Districts	\$37,500 - \$72,500
Tax Allocation Bonds	\$47,500 - \$92,500

Fees related to the issuance of debt typically are included in costs of issuance and financed by the debt.

ATTACHMENTS

Attachment 1 – NHA Advisors, LLC Agreement

Attachment 2 – Resolution

AGREEMENT BY AND BETWEEN THE

COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY AND NHA ADVISORS, LLC

THIS AGREEMENT is entered into this 17th day of January, 2017, by and between the COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY, a governmental entitity (the "HOUSING AUTHORITY"), and NHA ADVISORS, LLC, a California limited liability company (the "CONSULTANT").

RECITALS

WHEREAS, the HOUSING AUTHORITY' desires to employ a CONSULTANT to provide municipal advisory services.

WHEREAS, the HOUSING AUTHORITY has determined that the CONSULTANT is a municipal advisor and is qualified by experience and ability to perform the services desired by the HOUSING AUTHORITY, and the CONSULTANT is willing to perform such services.

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

1. **ENGAGEMENT OF CONSULTANT.** The HOUSING AUTHORITY agrees to engage the CONSULTANT, and the CONSULTANT agrees to perform the services set forth here in accordance with all terms and conditions contained herein.

The CONSULTANT represents that all services shall be performed directly by the CONSULTANT or under direct supervision of the CONSULTANT.

- 2. **EFFECTIVE DATE AND LENGTH OF AGREEMENT.** This Agreement will become effective on January 17, 2017. The duration of this Agreement is for the period of January 17, 2017 through December 31, 2019. This Agreement may be extended by mutual agreement upon the same terms and conditions for two (2) additional one (1) year terms.
- 3. **SCOPE OF SERVICES.** The CONSULTANT shall perform municipal advisory services as set forth in the attached Exhibit "A."

The CONSULTANT shall be responsible for all research and reviews related to the work and shall not rely on personnel of the HOUSING AUTHORITY for such services, except as authorized in advance by the HOUSING AUTHORITY.

The HOUSING AUTHORITY may unilaterally, or upon request from the CONSULTANT, from time to time reduce or increase the Scope of Services to be performed by the CONSULTANT under this Agreement. Upon doing so, the HOUSING AUTHORITY and the CONSULTANT agree to meet in good faith and confer for the purpose of negotiating a corresponding reduction or increase in the compensation associated with said change in services.

- 4. **PROJECT COORDINATION AND SUPERVISION.** The Director of Finance is designated as the Project Coordinator for the HOUSING AUTHORITY and will monitor the progress and execution of this Agreement. The CONSULTANT shall assign a single Project Director to provide supervision and have overall responsibility for the progress and execution of this Agreement for the CONSULTANT. Craig Hill thereby is designated as the Project Director for the CONSULTANT.
- COMPENSATION AND PAYMENT. The compensation for the CONSULTANT shall be based upon billing(s) covering actual work performed in accordance with the rates stated in the attached Exhibit "B." Billings shall include labor classifications, respective rates, hours worked and also materials, if any. The labor rates for work described in Exhibit "A" of this agreement shall not exceed the rates listed in Exhibit "B" of this Agreement. Compensation for bond transactions shall be based upon the schedule included in Exhibit "B" and shall not exceed the rates listed in Exhibit "B." Invoices will be processed for payment and remitted within thirty (30) days from receipt of invoice, provided that work is accomplished consistent with Exhibit "A," as determined by the HOUSING AUTHORITY.

The CONSULTANT shall maintain all books, documents, papers, employee time sheets, accounting records, and other evidence pertaining to costs incurred, and shall make such materials available at its office at all reasonable times during the term of this Agreement and for three (3) years from the date of final payment under this Agreement, for inspection by the HOUSING AUTHORITY, and for furnishing of copies to the HOUSING AUTHORITY, if requested.

- any and all questions which may arise as to the quality or acceptability of the services performed and the manner of performance, the acceptable completion of this Agreement, and the amount of compensation due. In the event the CONSULTANT and the HOUSING AUTHORITY cannot agree to the quality or acceptability of the work, the manner of performance and/or the compensation payable to the CONSULTANT in this Agreement, the HOUSING AUTHORITY or the CONSULTANT shall give to the other written notice. Within ten (10) business days, the CONSULTANT and the HOUSING AUTHORITY shall each prepare a report which supports their position and file the same with the other party. The HOUSING AUTHORITY shall, with reasonable diligence, determine the quality or acceptability of the work, the manner of performance, and/or the compensation payable to the CONSULTANT.
- 7. **DISPOSITION AND OWNERSHIP OF DOCUMENTS.** The Memoranda, Reports, Maps, Drawings, Plans, Specifications, and other documents prepared by the CONSULTANT for this Project, whether paper or electronic, shall become the property of the HOUSING AUTHORITY for use with respect to this Project, and shall be turned over to the HOUSING AUTHORITY upon completion of the Project, or any phase thereof, as contemplated by this Agreement.

Contemporaneously with the transfer of documents, the CONSULTANT hereby assigns to the HOUSING AUTHORITY, and CONSULTANT thereby expressly waives and disclaims any copyright in, and the right to reproduce, all written material, drawings, plans, specifications, or other work prepared under this Agreement, except upon the HOUSING AUTHORITY'S prior authorization regarding reproduction, which authorization shall not be

unreasonably withheld. The CONSULTANT shall, upon request of the HOUSING AUTHORITY, execute any further document(s) necessary to further effectuate this waiver and disclaimer.

The CONSULTANT agrees that the HOUSING AUTHORITY may use, reuse, alter, reproduce, modify, assign, transfer, or in any other way, medium, or method utilize the CONSULTANT'S written work product for the HOUSING AUTHORITY'S purposes, and the CONSULTANT expressly waives and disclaims any residual rights granted to it by Civil Code Sections 980 through 989 relating to intellectual property and artistic works.

Any modification or reuse by the HOUSING AUTHORITY of documents, drawings, or specifications prepared by the CONSULTANT shall relieve the CONSULTANT from liability under Section 14, but only with respect to the effect of the modification or reuse by the HOUSING AUTHORITY, or for any liability to the HOUSING AUTHORITY should the documents be used by the HOUSING AUTHORITY for some project other than what was expressly agreed upon within the Scope of this project, unless otherwise mutually agreed.

8. **INDEPENDENT CONTRACTOR.** Both parties hereto in the performance of this Agreement will be acting in an independent capacity and not as agents, employees, partners, or joint venturers with one another. Neither the CONSULTANT nor the CONSULTANT'S employees are employees of the HOUSING AUTHORITY, and are not entitled to any of the rights, benefits, or privileges of the HOUSING AUTHORITY'S employees, including but not limited to retirement, medical, unemployment, or workers' compensation insurance.

This Agreement contemplates the personal services of the CONSULTANT and the CONSULTANT'S employees, and it is recognized by the parties that a substantial inducement to the HOUSING AUTHORITY for entering into this Agreement was, and is, the professional reputation and competence of the CONSULTANT and its employees. Neither this Agreement nor any interest herein may be assigned by the CONSULTANT without the prior written consent of the HOUSING AUTHORITY. Nothing herein contained is intended to prevent the CONSULTANT from employing or hiring as many employees, or SUBCONSULTANTS, as the CONSULTANT may deem necessary for the proper and efficient performance of this Agreement. All agreements by CONSULTANT with its SUBCONSULTANT(S) shall require the SUBCONSULTANT(S) to adhere to the applicable terms of this Agreement.

- 9. <u>CONTROL</u>. Neither the HOUSING AUTHORITY nor its officers, agents, or employees shall have any control over the conduct of the CONSULTANT or any of the CONSULTANT'S employees, except as herein set forth, and the CONSULTANT or the CONSULTANT'S agents, servants, or employees are not in any manner agents, servants, or employees of the HOUSING AUTHORITY, it being understood that the CONSULTANT its agents, servants, and employees are as to the HOUSING AUTHORITY wholly independent CONSULTANT, and that the CONSULTANT'S obligations to the HOUSING AUTHORITY are solely such as are prescribed by this Agreement.
- 10. <u>COMPLIANCE WITH APPLICABLE LAW</u>. The CONSULTANT, in the performance of the services to be provided herein, shall comply with all applicable state and federal statutes and regulations, all Municipal Securities Rulemaking Board rules, and all

applicable ordinances, rules, and regulations of the City of National City, whether now in force or subsequently enacted. The CONSULTANT and each of its SUBCONSULTANT(S), shall obtain and maintain a current City of National City business license prior to and during performance of any work pursuant to this Agreement.

11. <u>LICENSES, PERMITS, ETC.</u> The CONSULTANT represents and covenants that it has all licenses, permits, qualifications, and approvals of whatever nature that are legally required to practice its profession. The CONSULTANT represents and covenants that the CONSULTANT shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement, any license, permit, or approval which is legally required for the CONSULTANT to practice its profession.

12. STANDARD OF CARE.

- A. The CONSULTANT, in performing any services under this Agreement, shall perform in a manner consistent with that level of care and skill ordinarily exercised by members of the CONSULTANT'S trade or profession currently practicing under similar conditions and in similar locations. The CONSULTANT shall take all special precautions necessary to protect the CONSULTANT'S employees and members of the public from risk of harm arising out of the nature of the work and/or the conditions of the work site.
- B. Unless disclosed in writing prior to the date of this Agreement, the CONSULTANT warrants to the HOUSING AUTHORITY that it is not now, nor has it for the five (5) years preceding, been debarred by a governmental agency or involved in debarment, arbitration or litigation proceedings concerning the CONSULTANT'S professional performance or the furnishing of materials or services relating thereto.
- C. The CONSULTANT is responsible for identifying any unique products, treatments, processes or materials whose availability is critical to the success of the project the CONSULTANT has been retained to perform, within the time requirements of the HOUSING AUTHORITY, or, when no time is specified, then within a commercially reasonable time. Accordingly, unless the CONSULTANT has notified the HOUSING AUTHORITY otherwise, the CONSULTANT warrants that all products, materials, processes or treatments identified in the project documents prepared for the HOUSING AUTHORITY are reasonably commercially available. Any failure by the CONSULTANT to use due diligence under this sub-paragraph will render the CONSULTANT liable to the HOUSING AUTHORITY for any increased costs that result from the HOUSING AUTHORITY'S later inability to obtain the specified items or any reasonable substitute within a price range that allows for project completion in the time frame specified or, when not specified, then within a commercially reasonable time.
- discriminate against any employee or applicant for employment because of age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. The CONSULTANT will take positive action to insure that applicants are employed without regard to their age, race, color, ancestry, religion, sex, sexual orientation, marital status, national origin, physical handicap, or medical condition. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The CONSULTANT agrees to post in conspicuous places available to employees and applicants for employment any notices provided by the HOUSING AUTHORITY setting forth the provisions of this non-discrimination clause.

14. CONFIDENTIAL INFORMATION. The HOUSING AUTHORITY may from time to time communicate to the CONSULTANT certain confidential information to enable the CONSULTANT to effectively perform the services to be provided herein. The CONSULTANT shall treat all such information as confidential and shall not disclose any part thereof without the prior written consent of the HOUSING AUTHORITY. The CONSULTANT shall limit the use and circulation of such information, even within its own organization, to the extent necessary to perform the services to be provided herein. The foregoing obligation of this Section 14, however, shall not apply to any part of the information that (i) has been disclosed in publicly available sources of information; (ii) is, through no fault of the CONSULTANT, hereafter disclosed in publicly available sources of information; (iii) is already in the possession of the CONSULTANT without any obligation of confidentiality; or (iv) has been or is hereafter rightfully disclosed to the CONSULTANT by a third party, but only to the extent that the use or disclosure thereof has been or is rightfully authorized by that third party.

The CONSULTANT shall not disclose any reports, recommendations, conclusions, or other results of the services or the existence of the subject matter of this Agreement without the prior written consent of the HOUSING AUTHORITY. In its performance hereunder, the CONSULTANT shall comply with all legal obligations it may now or hereafter have respecting the information or other property of any other person, firm, or corporation.

CONSULTANT shall be liable to HOUSING AUTHORITY for any damages caused by breach of this condition, pursuant to the provisions of Section 14.

- agrees to defend, indemnify and hold harmless the City of National City, its officers and employees, against and from any and all liability, loss, damages to property, injuries to, or death of any person or persons, and all claims, demands, suites, actions, proceedings, reasonable attorneys' fees, and defense costs, of any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the CONSULTANT'S performance or other obligations under this Agreement; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the HOUSING AUTHORITY, its agents, officers, or employees. The indemnity, defense, and hold harmless obligations contained herein shall survive the termination of this Agreement for any alleged or actual omission, act, or negligence under this Agreement that occurred during the term of this Agreement.
- of the provisions of the Workers' Compensation Insurance and Safety Acts of the State of California, the applicable provisions of Division 4 and 5 of the California Government Code and all amendments thereto; and all similar State or federal acts or laws applicable; and shall indemnify, and hold harmless the HOUSING AUTHORITY and its officers, and employees from and against all claims, demands, payments, suits, actions, proceedings, and judgments of every nature and description, including reasonable attorney's fees and defense costs presented, brought or recovered against the HOUSING AUTHORITY or its officers, employees, or volunteers, for or on account of any liability under any of said acts which may be incurred by reason of any work to be performed by the CONSULTANT under this Agreement.

- 17. <u>INSURANCE</u>. The CONSULTANT, at its sole cost and expense, shall purchase and maintain, and shall require its SUBCONSULTANT(S), when applicable, to purchase and maintain throughout the term of this Agreement, the following checked insurance policies:
- A. If checked, **Professional Liability** Insurance (errors and omissions) with minimum limits of \$5,000,000 per occurrence.
- B. Automobile Insurance covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include owned, non-owned, and hired vehicles ("any auto"). The policy shall name the HOUSING AUTHORITY and its officers, agents and employees as additional insureds, and a separate additional insured endorsement shall be provided.
- C. Commercial General Liability Insurance, with minimum limits of \$2,000,000 per occurrence and \$4,000,000 aggregate, covering all bodily injury and property damage arising out of its operations under this Agreement. The policy shall name the HOUSING AUTHORITY and its officers, agents and employees as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to this "project" or "location."
- D. Workers' Compensation Insurance in an amount sufficient to meet statutory requirements covering all of CONSULTANT'S employees and employers' liability insurance with limits of at least \$1,000,000 per accident. In addition, the policy shall be endorsed with a waiver of subrogation in favor of the HOUSING AUTHORITY. Said endorsement shall be provided prior to commencement of work under this Agreement.

If CONSULTANT has no employees subject to the California Workers' Compensation and Labor laws, CONSULTANT shall execute a Declaration to that effect. Said Declaration shall be provided to CONSULTANT by HOUSING AUTHORITY.

- E. The aforesaid policies shall constitute primary insurance as to the HOUSING AUTHORITY, its officers, employees, and volunteers, so that any other policies held by the HOUSING AUTHORITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior written notice to the HOUSING AUTHORITY of cancellation or material change.
- F. If required insurance coverage is provided on a "claims made" rather than "occurrence" form, the CONSULTANT shall maintain such insurance coverage for three years after expiration of the term (and any extensions) of this Agreement. In addition, the "retro" date must be on or before the date of this Agreement.
- G. Insurance shall be written with only California admitted companies that hold a current policy holder's alphabetic and financial size category rating of not less than A VIII according to the current Best's Key Rating Guide, or a company equal financial stability that is approved by the HOUSING AUTHORITY'S Risk Manager. In the event coverage is provided by non-admitted "surplus lines" carriers, they must be included on the most recent California List of Eligible Surplus Lines Insurers (LESLI list) and otherwise meet rating requirements.
- H. This Agreement shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with, and approved by the HOUSING AUTHORITY'S Risk Manager. If the CONSULTANT does not keep all of such insurance policies in full force and effect at all times during the terms of this Agreement, the HOUSING AUTHORITY may elect to treat the failure to maintain the requisite insurance as a breach of this Agreement and terminate the Agreement as provided herein.
- I. All deductibles and self-insured retentions in excess of \$10,000 must be disclosed to and approved by the HOUSING AUTHORITY.

18. **LEGAL FEES.** If any party brings a suit or action against the other party arising from any breach of any of the covenants or agreements or any inaccuracies in any of the representations and warranties on the part of the other party arising out of this Agreement, then in that event, the prevailing party in such action or dispute, whether by final judgment or out-of-court settlement, shall be entitled to have and recover of and from the other party all costs and expenses of suit, including attorneys' fees.

For purposes of determining who is to be considered the prevailing party, it is stipulated that attorney's fees incurred in the prosecution or defense of the action or suit shall not be considered in determining the amount of the judgment or award. Attorney's fees to the prevailing party if other than the HOUSING AUTHORITY shall, in addition, be limited to the amount of attorney's fees incurred by the HOUSING AUTHORITY in its prosecution or defense of the action, irrespective of the actual amount of attorney's fees incurred by the prevailing party.

19. **TERMINATION.**

- A. This Agreement may be terminated with or without cause by the HOUSING AUTHORITY. Termination without cause shall be effective only upon 60-day's written notice to the CONSULTANT. During said 60-day period the CONSULTANT shall perform all services in accordance with this Agreement.
- B. This Agreement may also be terminated immediately by the HOUSING AUTHORITY for cause in the event of a material breach of this Agreement, misrepresentation by the CONSULTANT in connection with the formation of this Agreement or the performance of services, or the failure to perform services as directed by the HOUSING AUTHORITY.
- C. Termination with or without cause shall be effected by delivery of written Notice of Termination to the CONSULTANT as provided for herein.
- D. In the event of termination, all finished or unfinished Memoranda Reports, Maps, Drawings, Plans, Specifications and other documents prepared by the CONSULTANT, whether paper or electronic, shall immediately become the property of and be delivered to the HOUSING AUTHORITY, and the CONSULTANT shall be entitled to receive just and equitable compensation for any work satisfactorily completed on such documents and other materials up to the effective date of the Notice of Termination, not to exceed the amounts payable hereunder, and less any damages caused the HOUSING AUTHORITY by the CONSULTANT'S breach, if any. Thereafter, ownership of said written material shall vest in the HOUSING AUTHORITY all rights set forth in Section 7.
- E. The HOUSING AUTHORITY further reserves the right to immediately terminate this Agreement upon: (1) the filing of a petition in bankruptcy affecting the CONSULTANT; (2) a reorganization of the CONSULTANT for the benefit of creditors; or (3) a business reorganization, change in business name or change in business status of the CONSULTANT.
- 20. NOTICES. All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered; or sent by overnight mail (Federal Express or the like); or sent by registered or certified mail, postage prepaid, return receipt requested; or sent by ordinary mail, postage prepaid; or telegraphed or cabled; or delivered or sent by telex, telecopy, facsimile or fax; and shall be deemed received upon the earlier of (i) if personally delivered, the date of delivery to the address of the person to receive such notice, (ii) if sent by overnight mail, the business day following its deposit in such overnight mail facility, (iii) if mailed by registered, certified or ordinary mail, five (5) days (ten (10) days if the address is

outside the State of California) after the date of deposit in a post office, mailbox, mail chute, or other like facility regularly maintained by the United States Postal Service, (iv) if given by telegraph or cable, when delivered to the telegraph company with charges prepaid, or (v) if given by telex, telecopy, facsimile or fax, when sent. Any notice, request, demand, direction or other communication delivered or sent as specified above shall be directed to the following persons:

To HOUSING AUTHORITY:

Director of Finance City of National City 1243 National City Boulevard National City, CA 91950-4301

To CONSULTANT:

Craig Hill, Principal NHA Advisors, LLC 4040 Civic Center Drive, Suite 200 San Rafael, CA 94903

Notice of change of address shall be given by written notice in the manner specified in this Section. Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to constitute receipt of the notice, demand, request, or communication sent. Any notice, request, demand, direction or other communication sent by cable, telex, telecopy, facsimile or fax must be confirmed within forty-eight (48) hours by letter mailed or delivered as specified in this Section.

21. CONFLICT OF INTEREST AND POLITICAL REFORM ACT OBLIGATIONS. During the term of this Agreement, the CONSULTANT shall not perform services of any kind for any person or entity whose interests conflict in any way with those of the HOUSING AUTHORITY. The CONSULTANT also agrees not to specify any product, treatment process or material for the project in which the CONSULTANT has a material

HOUSING AUTHORITY. The CONSULTANT also agrees not to specify any product, treatment, process, or material for the project in which the CONSULTANT has a material financial interest, either direct or indirect, without first notifying the HOUSING AUTHORITY of that fact. The CONSULTANT shall at all times comply with the terms of the Political Reform Act and the National City Conflict of Interest Code. The CONSULTANT shall immediately disqualify itself and shall not use its official position to influence in any way any matter coming before the HOUSING AUTHORITY in which the CONSULTANT has a financial interest as defined in Government Code Section 87103. The CONSULTANT represents that it has no knowledge of any financial interests that would require it to disqualify itself from any matter on which it might perform services for the HOUSING AUTHORITY.

If checked, the CONSULTANT shall comply with all of the reporting requirements of the Political Reform Act and the National City Conflict of Interest Code. Specifically, the CONSULTANT shall file a Statement of Economic Interests with the City Clerk of the City of National City in a timely manner on forms which the CONSULTANT shall obtain from the City Clerk.

The CONSULTANT shall be strictly liable to the HOUSING AUTHORITY for all damages, costs or expenses the HOUSING AUTHORITY may suffer by virtue of any violation of this Paragraph 22 by the CONSULTANT.

22. **PREVAILING WAGES**. State prevailing wage rates may apply to work performed under this Agreement. State prevailing wages rates apply to all public works contracts as set forth in California Labor Code, including but not limited to, Sections 1720, 1720.2, 1720.3, 1720.4, and 1771. Consultant is solely responsible to determine if State prevailing wage rates apply and, if applicable, pay such rates in accordance with all laws, ordinances, rules, and regulations.

23. MISCELLANEOUS PROVISIONS.

- A. Computation of Time Periods. If any date or time period provided for in this Agreement is or ends on a Saturday, Sunday or federal, state or legal holiday, then such date shall automatically be extended until 5:00 p.m. Pacific Time of the next day which is not a Saturday, Sunday or federal, state, or legal holiday.
- B. *Counterparts*. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute but one and the same instrument.
- C. Captions. Any captions to, or headings of, the sections or subsections of this Agreement are solely for the convenience of the parties hereto, are not a part of this Agreement, and shall not be used for the interpretation or determination of the validity of this Agreement or any provision hereof.
- D. No Obligations to Third Parties. Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, or obligate any of the parties hereto, to any person or entity other than the parties hereto.
- E. Exhibits and Schedules. The Exhibits and Schedules attached hereto are hereby incorporated herein by this reference for all purposes. To the extent any exhibits or schedules or provisions thereof conflict or are inconsistent with the terms and conditions contained in this Agreement, the terms and conditions of this Agreement will control.
- F. Amendment to this Agreement. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.
- G. Waiver. The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.
- H. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California.
- I. Audit. If this Agreement exceeds ten-thousand dollars (\$10,000), the parties shall be subject to the examination and audit of the State Auditor for a period of three (3) years after final payment under the Agreement, per Government Code Section 8546.7.
- J. Entire Agreement. This Agreement supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent, or representative of any party hereto shall be of any effect unless it is in writing and executed by the party to be bound thereby.
- K. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.

L. Construction. The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, (iii) each such party has consulted with or has had the opportunity to consult with its own, independent counsel and such other professional advisors as such party has deemed appropriate, relative to any and all matters contemplated under this Agreement, (iv) each party and such party's counsel and advisors have reviewed this Agreement, (v) each party has agreed to enter into this Agreement following such review and the rendering of such advice, and (vi) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY

NHA ADVISORS, LLC

Ву:	Ву:
Leslie Deese, Executive Director	(Name)
	CRAIG HILL
	(Print)
	PRINCIPAL
APPROVED AS TO FORM:	(Title)

George H. Eiser, III
Interim General Counsel for the Community
Development Commission – Housing Authority of
the City of National City

NHA Advisors, LLC Scope of Services

Municipal advisory services may include, but are not limited to, assisting the Community Development Commission – Housing Authority of the City of National City ("Housing Authority") to:

- review the Housing Authority's long-range financing needs, particularly with respect to its capital improvement program, and develop alternative strategies for meeting those needs:
- analyze and interpret legislation for economic or financial opportunities or impacts for the Housing Authority;
- analyze and interpret complex business plans and financial proposals made to the Housing Authority;
- present alternative strategies for managing the Housing Authority's current or future debt to achieve the best value for taxpayers.

The consultant may also be called upon to assist with the issuance of debt, including, but not limited to:

- review of credit issues & key terms of the financing indenture;
- review and analysis of complex business plans and financial proposals, including those for refunding opportunities, made to the Housing Authority;
- selling bonds or obtaining other debt financing by performing tasks such as:
 - o advising on the essential features of the bond or other financing structure;
 - providing market analysis and information to determine the best method of sale or course of action for the Housing Authority;
 - assisting with or preparing requests for proposals as appropriate for other professional services needed to carry out the financing;
 - participating in the preparation of offering or other documents needed for the financing;
 - o preparing or coordinating the preparation of material for such purposes as rating agency and credit enhancement review processes;
 - o coordinating the bidding for bonds in a competitive sale;
 - o negotiating bond terms in a negotiated sale;
 - working with the finance team to facilitate an effective bond sale or other closing and delivery of proceeds;
 - o providing post-sale advice on proceeds investments (as needed);
- preparation and submittal of continuing disclosure reports annually, or as otherwise required by the Housing Authority's current or future bond covenants, to the Electronic Municipal Market Access, a service of the Municipal Securities Rulemaking Board.

NHA ADVISORS, LLC

HOURLY RATES AND MAXIMUM FEE TO PERFORM MUNICIPAL ADVISORY SERVICES

For projects not directly related to the issuance of any debt obligations, the Community Development Commission – Housing Authority of the City of National City ("Housing Authority") will be billed at the following hourly rates:

Principal	\$275
Vice President	\$225
Associate	\$175
Analyst	\$125
Administrative	\$75

The Housing Authority will reimburse NHA for reasonable and necessary out-of-pocket expenses, including but not limited to data resources, photocopying, postage, and delivery. California travel will not be considered a reimbursable expense.

For projects associated with the issuance of notes, bonds, or other obligations, the Housing Authority will compensate NHA in accordance with the table below. The ranges provided in the table are indicative. NHA's specific compensation on a project, which shall be agreed upon prior to commencement of the project, will depend upon the time required to complete the process, which is typically a function of credit quality, structure, and nature/extent of NHA's role, and NHA's expected time commitment.

Project	Fee Range
Tax and Revenue Anticipation Notes	\$17,500 - \$22,500
Certificates of Participation	\$42,500 - \$67,500
Tax Allocation Bonds	\$47,500 - \$92,500
Revenue Bonds	\$47,500 - \$72,500
Assessment Districts	\$32,500 - \$72,500
Community Facilities Districts	\$37,500 - \$72,500

The following page(s) contain the backup material for Agenda Item: Home Fire Prevention Campaign. (Fire) ${\sf Fire}$

Item # ____ 01/17/17

Home Fire Prevention Campaign (Fire)